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EMILIA MITCHELL will attend to clothes, hair, makeup, and shoes all night. She would accept no visitors for Winston's

Her elements of style

It was a truth universally acknowledged among Barbara Mason's colleagues at Maclean's magazine that no one had the right to be both that beautiful and that brilliant. In the 1950s and 1960s, beauty was not totally unknown in Maclean's, nor was brilliance. But the dam-asked-for-itself, and no one unequivocal degree. When she died last week, at the age of 81, of viral encephalitis, it is remembered as first a person whose rare talent in the 1950s on the staff of a now long-defunct monthly, *Maclean's*. It was as if a bird of paradise had alighted among sparrows.

She came from St. Catharines, Ont., but looked like one of nature's Personae, a woman who made this old presentation seem easy and inevitable. She was elegant in clothes, hair, speech, and, above all, prose. She turned a sentence as gracefully as she arranged a scarf. She was educated at Trinity College at the University of Toronto but spoke with an accent that seemed to issue from some anatomically perfect corner of the Empire. Later she added an imperious tone, for she was one of those who dared to meet with her boss.

She came into Aristotle's as a clerk-typist in 1940, a 22-year-old novice in the office world of national journalists gathered by the editor, Arthur Hays Sulzberger, and comments on the magazine's contents impressed her boss, notably Lincoln Steffens. Pierre Burton, who encouraged her writing. A few years later he demonstrated his high regard after an editorial New York rejected a Burton manuscript on grounds of obscenity. Burton asked

Moore to give him a paragraph by paragraph critique, then rewrite it as the suggested Knopf published. *The Mysterious North*, opening a new phase in Berlin's career.

He used his amplifier for Macdonald's combined careful research and a relaxed sense of authority with an authorial wit. As the cover narrative went, she once wrote a piece about a TV personality that was so abusive it frightened even Ralph Allen, who had replaced Iweta as editor. He suggested to Kesteven, the managing editor, that if either of them should leave the magazine and become famous enough to justify exposing it, "let's promise right now that neither of us will ever assign such a piece to Moon."

her ancestor, "The nuclear death of a nuclear scientist," about the fatal radiation poisoning of Lou Alamo of the young Winnipeg physicist, who in the 1962 University of Western Ontario President's Medal, grew from the best magazine article of the year. In 1970, her book, *The Canadian Shield*, discussed our natural landscape's place in the national imagination. "Canadians are a shield race. They live with backdrops and brush and a crabapple-bushen glory always at their backs. They live with a juicy secret of riches. They live with a vast wasteland. They live with terrifying heat, and of the cold too."

As a science journalist, she wrote dozens of scripts for *The Nature of Things* and other TV programs. At the CBC she both delighted

and infatuated producers, as she delighted and infatuated magazine editors. She was the star turn, a virtuoso who could bring style and intelligence to almost any subject, but she was also the proprietor of a writer's block: the case of Mount Killarney. When she met her deadline, which wasn't always the case, she met it with seconds to spare.

Having edited or helped edit *Mayfair*, *Canadian Bridal and Toronto Calendar*, she also did some writing, and became a full-time career editor at *Saturday Night* in the 1980s and 1990s. Later, she and her husband of 41 years, Wayne Thomas, operated a free-lance business, *Editors at Large*, from their firm outside Midland, east of Toronto in Prince Edward County.

Why do first-class writers stop writing? Edmon then speculated on the concept of Moore's black Perfectionism was one rejected, she could argue over a comma for half an hour. Had she set her standards so high that even she couldn't meet them? No one could say. She had a freewheeling life she delivered to young writers when trying to summarize them. "Everyone has a secret. Your job is to find it." The reason for Barbara Moore's writing block was one secret she never disclosed.

By Robert Ralston, who was on staff at Maclean's in the 1960s. He has contributed stories to Maclean's for over 60 years.

MACLEAN'S has been nominated for a record 20 National Magazine Awards this year, placing it among the top four magazines in Canada. This is the highest number of NMA nominations Maclean's has ever received. ■

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A WEEK IN THE LIFE OF MAHMOUD AHMADINEJAD

Iran's hate-mongering president had an especially offensive week. On Sunday, he shook hands with his Swiss counterpart—and Israel promptly recalled its ambassador to Switzerland. The next day he held a UN “anti-muslim” conference in Geneva that the West used the Holocaust as a “pretext” for aggression against Palestinians. Dozens of UN delegates stormed out and the U.S. described his speech as “ vile,” but back in Tehran, a crowd was waiting to greet their hero at the airport.

Good news

Travel travails

Globe-trotting Canucks had a stressful week, but it could have been much worse. On Sunday, a Chapter plane meeting takeoff in Jamaica was hijacked by a gunman. Many of the 159 passengers feared a repeat of the suicide flights of 9/11. Instead, they were released after about an hour, and six crew were rescued unharmed after police stormed the plane. That came on the heels of Wednesday's collapse of the Toronto-based tour company Conquest, which left travelers in Mexico, the Dominican Republic and Cuba stuck in their hotels until they settled up cash for the bill. Meanwhile, most weren't allowed to board. Meanwhile, Air Canada and Sky service postponed return flights that had been chartered by Conquest. Most travelers will also get refunds through credit cards or travel insurance programs.

Looking good

A mainstreaming memo will be the best hope yet for women 30

FACE OF THE WEEK



GERMAN CHANCELLOR Angela Merkel does up new product from Siemens. The company is currently embroiled in a bribery scandal.

million people losing their right to age-related medical discrimination. A layer of age-discriminated and old will be replaced by new ones created by stem cells, say researchers in London, who are seeking permission for clinical trials. The first use of embryonic cells in human trials will be carried out later this year on patients with spinal cord injuries in the U.S. It's spearheaded by Canadian researcher Hans Kardon of the University of Colorado at Denver. Many see a bright future for stem cell research after years of opposition under former U.S. president George W. Bush.

Banishing bikers

It took more than 1,200 police officers from roughly 20 forces, but Operation SherQ was a striking success, netting 115 full-

Bad news

Enriching Iran-ium

A Toronto man is accused of trying to export technology to Iran that can be used to enrich uranium. Mahvash Taleghani was arrested last week after customs officers discovered the shipment of printer transducers, devices Iran can't buy under Canadian law and a UN embargo. The case raises yet more questions about the Islamic Republic's claims it isn't trying to acquire the bomb—and more challenges for Barack Obama's efforts to

live with the CFC this week to justify tougher border controls, we didn't know whether to laugh or cry. For the last time, the 9/11 conspirators entered the U.S. directly, with U.S. arrest papers. But like Mark Twain said, "he can travel halfway around the world while the truth is putting on its shoes."

Strange bedfellows

Prime Minister Stephen Harper and Canada's do-gooder neighbor France's claim to a bigger piece of their rich sea floor around St. Pierre and Miquelon, the French islands south of Newfoundland. Harper wrote to reassure Newfoundland and Labrador Premier Danny Williams that the boundary was settled in a 1992 international court ruling and that this position has been made clear to France. Still, France plans to take its claim to the UN, making the potential for a messy dispute. But at least it gives Harper and Williams, who never pass on the chance to broker with each other, something they can agree on.

Naked ambition

As a criminal seems to be getting away with it, a federal judge in British Columbia. Last year, two federal prosecutors resigned after videos surfaced online showing them doing drugs. Another was forced to resign after admitting to smuggling drugs with teenagers. This week, provincial candidate Ray Lamm stepped down after race pictures—one of him with his hand on a woman's breast and another of him in his underwear—were found on his Facebook account. The Internet and social networking sites are useful campaign tools, but as B.C. politicians keep discovering, in the digital age, you really do need to keep your pants on. ■

Borderline insanity

It's not enough to realize that many Americans still believe some of the 9/11 terrorists came from Canada. But when Barack Obama's new Homeland Security Secretary Janet Napolitano repeated the long-disputed myth in an inter-

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What Obama's hesitation means for Harper



PAUL WELLS

been busy that his hesitation may stand up meaning more than his bold actions.

Obama is already a consequential president. By moving to close the Guantanamo Bay prison and abandoning torture, he shows he's not George W. Bush. By embracing free trade, embracing Hugo Chavez and trying to share relations with Cuba and Iran, he has shown the world a more conciliatory face. And by hammering open the spending caps, responding to a crisis of easy private money by inaugurating an era of easy public money, he has launched a thousand megaprojects.

There's a lot to admire in each of those moves, but they have something in common. Together they form a political philosophy that is not particularly concerned with winning costs. Obama doesn't like to choose among government programs.

It means an erosion of his decision to let sweet turns, which to me is simple justice and long overdue. But it can't be counted a bold strategy, because it doesn't exactly have a lot of friends.

What it did have, for years, was practitioners in secret prisons around the world, and legal theories and political realities in Washington. What would be held would be to investigate and prosecute them. But Obama has been extraordinarily reluctant to prosecute either torture's practitioners or enablers. That would be divisive. And as we move from the list of things Obama has done to the list of things he wants, we see a reluctance to take action that would be both divisive and dramatic.

This is easy to understand now, but it will

be significant over the course of Obama's presidency. He likes to create winners, not losers. So he has embraced policies that have caught in the net and backed off policies where a fight would be inevitable. He has given up on negotiating NAFTA. He's dropped plans to introduce immunities. He wanted to reintroduce an assault weapons ban that died under George W. Bush, but some in Congress pushed back and he has dropped the idea.

This pattern suggests a generous instinct and an aversion to conflict. Neither is fatal in that term. Both offer a refreshing change from Obama's predecessor. And because his government spends far more than it takes of

Cheney made real efforts to get off on the right foot with Bush, but the relationship soon turned toxic.

Harper has found, in Obama, a President who is eager to make friends, but he has also played the relationship smartly. He prefers to lead with big global issues where the two countries share a common viewpoint, like Afghanistan and free trade, instead of concentrating on bilateral issues that magnify discord. Harper's eager courting of U.S. journalists is easy to read—I know, I've done it—but it will raise Canada's profile in Washington while important decisions are made.

But a kind word will only get you so far. Harper has made energy and the environment the cornerstones of the Canada-U.S. relationship. The idea is that we would be part of some coordinated plan to regulate trade, carbon emissions, to reward for protecting developed American access. Canadian energy experts—and growing the U.S. market for Alberta's oil sands.

Unfortunately, just about every element of this project is turning out to be a free fire. First, there's no such thing as privileged access to oil because oil is sold in a fluid global market, so we have nothing in particular to offer. Second, a President who can't stop making friends has no particular interest in bilateral deal-making with Canada when he has far



A President who can't stop making friends has little to gain from a bilateral deal with us

Americans, Obama is well placed to play a lot of change. But, at best, it leaves open the question of whether he will have it in him to keep pushing when opposition is focused, loud, and well-funded.

Health care will be no such life, but it's mostly a matter between Americans, and Obama's success or failure won't concern us. But climate change will be another, and it is at the centre of relations between our two countries.

Stephen Harper has handled the early steps of his relationship with Obama well. However, it suggests there'd be trouble here. An Lawrence Martin pointed out in his book, *The President and The Prime Minister*, party differences have usually caused cross-border trouble. Kennedy faced DeLoach's Troubadour couldn't shake Reagan. More recently,

more important partners to share when it comes to regulating emissions. China, India and all other Europe. Then us, who believe.

Most important, it's not clear this President can ever meaningfully regulate emissions, because that would involve concentrated power on powerful interests. So far that's the kind of fight Obama likes to back away from.

Harper has created more than his share of political difficulties, and has approached to discuss change after Obama's election looked the another that it was a free fire. Bush was unsuccessful in reducing carbon emissions. Obama may be unable. For Harper, latching his wages to the second to pay as far as the time. ■

ON THE WEB: For more Paul Wells' work, his blog at macleans.ca/paulwells/



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BARBARA AMIEL

The usual anti-Semitic remarks are listed in a letter from the *Amherst Echo* syndicated in New Brunswick, N.J., to Rutgers University president William B.S. Derricotte: officials failed to take action after a student made anti-semitic news-journalism studies as "outing 'us' as Jews who were Jews like this," the campus allowed vandalism and "narrow-mindedness and bigotry" when it plans the protests. The letter also proposed anti-semitic measures that president Derricotte publicly denounced as "unacceptable." "Individuals are not to be harassed or subjected to harassment or expulsion to 'improve their lives' with the rights of Jewish students and similar serious attempts 'to apprehend' the violators. President Derricotte met with the synagogue community, who professed sadness. And of course, nothing changed."

The lesser and incidents took place at Rutgers in 1993; Israel did not come. Harker had not appeared. Inflammation had not surfaced in the West. The situation, however, was pretty much identical to what goes on at universities you sound these days, with highlights during last month's Israel Apartheid Week, when anti-Semites got together on campuses to denounce Israel, the single item on the Middle East

There is, of course, and Scribner says so, no Israel connection in its task of responsibility. Other matters have been said about Sinai Sinai Douglas, class, New Jersey College for Women 1908 to 1912, appeared to prefer "anti-Semitism" under the guise of "national guidance," according to one of the many complaints against her. Dean Douglas, worried about Jewish influence in pedagogy, discouraged Jewish girls from becoming education majors, particularly those in whom "Jewishness" is manifestly apparent in face or name. Gold was Sinai, Isaac Regius professor of History at Oxford, later a governor of the University of Toronto, didn't bother with disliking

he denounced Jews in an article in 1981: "All other races profess at least allegiance to humanity. The Jew alone regards his race as superior to humanity. He hates the whole human race except the Jews (ideological), or..."

You can get up quite a bit of mail about earlier editions of *Canoe and Sea Stories*. First, it becomes clear that there is no power in protesting to the university authorities. They may have mixed feelings about such incidents but they are part of the problem. When you write a letter of protest about last April's Wood to President David Naylor at the University of Toronto you are wasting your life. You may be unhappy with York University allowing the wall of hatred to be on campus property as a protest against Israel's recent Gaza action, or be one of the many Jewish students whose photos were posted on it with derogatory allegations, but if you protest to Yael's president Mimi Shalev, you are talking to yourself.

Naylor, Shalev, and all other attempts



I will eat my hat the day they allow an Anti-Islamism Week or even an Anti-Taliban Week

administrations where this takes place are "enemies" of the phenomenon. They have varying explanations and varying degrees of reluctance to do anything, but the one explanation that holds no water—and the one legitimate reason—is a concern with freedom of speech. I will not say that the day any of them allows Anti-Islamicism Week or even an Anti-Taliban Week organized on campus by Jewish students with models of suicide terrorists and photos of Muslim students with negative attachments.

What needs a pig to hang on, and anti-Semites have had a lot of pigs. A study that compared Catholic students anti-Semitism in 1965 with that of students in the same course in 1970 found that anti-Semitism was significantly lower after Pope Paul VI in 1965 condemned "Jews of today" from blame for the crucifixion. *Usury, guerdon, dilatory and evil deeds have been cited, but whatever the trigger, the force is essentially the same: Jews are bad. Necessary*

that current criticism of Israel (which is the home of the Jewish people) is not an Islamic fall when its supporters hold tried to standards usually different from those they apply to every other country in the world.

Reported *disinventions* are nothing new. Before the News ever invented "holes" (on/laugh stores, flyers in 1899) Heidi-Peng (and locals not to fly from here) This action has a campus element too—the flyers were the brainchild of a law student and a journalism University. In fact, it was a flyer by a lot of that idea start them as well as good ones. I'd Appear/Think in a generic made on Canadian-campus (University of Toronto) product that has new special versions to 44 campuses. Last year's gay birth we now have a 1000+ (H)ighlanders Again! Appear/Think, which led to first-semester, closed to all adults, as the Ontario Institute for Studies in Education (OISE). This forum, courtesy of step-by-step, high schoolers and were in the hands of military anti-Semites and no

the leaders of the left – so-called because the left never understands eight years of George W. Bush, in which the power is society itself. Let Jews stop donating money to universities that harbor anti-Semitism. They would respond that their donations advance good things like health care. Follow that argument and they could donate to Hamas, which at least is training suicide bombers to maintain daycare centres. Journalists like Brian Kay has come up with a list of nine practical suggestions. Among them: holding universities accountable in courts of law for failing to uphold a Charter of rights of their students, making universities according to crime tolerance and intolerance.

Still, none of this really means Pakistan has the bomb. Pakistan is being taken over by the Taliban. Campus anti-Semitism crap seems something to be nostalgic about. ☹

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CAPITAL DIARY

MITCHEL RAPHAEL ON HOW IGNATIEFF LETS YOU KNOW IT'S TIME TO GO AND WHO GOT TORPEDOED

'PLEASE DON'T MAKE ME WEAR THAT'

Plasma Management **Charlelton** has been working at the Parkview Restaurant for 25 years. Among her other duties there she is the territorial gatekeeper. With the exception of Alcohol and people in military uniforms, all men going in the restaurant must wear a jacket and tie. (Women, on the other hand, can wear practically anything they want.) "I agree but I believe MP Mark Ylving is considering one of the troublemakers at the restaurant. He apparently tried to slip past Charlelton and get on the dance floor—without a tie. In frustration like this, Charlelton takes the open door of MP's and closes the dancer and makes him dance on, or grabs one of those air horn bells and bangs it. Then comes the problem of 'Please do not drink and drive.' The drink order for men is one of the few things that hasn't changed in the years Charlelton has been there. Something is always coming out of the kitchen.

allowed on the tables. (They were deemed *affre basés*.) Long gone from the menu, the eggs, a mix of lamb, escargots, and the carotene-rich desert asparagus. About 30 years ago, hotel chef items started to appear, the portions today are also smaller and the buffet has gone from daily to once a week, on Wednesdays. When Charlebois started at the restaurant (Pierre Trudeau was prime minister), she was a waitress and often served the table when the

amateur. Back then, some of the anglers would ask her not to let them under certain terms because of a doctor's advice. Even when they begged for their favorite fishes, says Chudobin, she kept them on the straight and narrow. It is rare to see a prime crabs in the Parliamentary Restaurant; they'd be molting, she explains. Still, back in the Trademark days after Hill events the restaurant



MP HQGAN LESLIE (top left), (then clockwise) the Parliamentary Restaurant's Marguerite Charbonell with MP Mark Sykes, the tin opener; MP Ruby Dhall and Michael Ignatieff's wife, Zsuzsanna Zoltai, at Hecmoway, Gord's (inst.) Michael Ignatieff

NO HIGH HEELS ON THE WARSHIP PLEASE
Malibu: NUP MP Megan Leslie was one of several high profile

women insisted to gain the right to go on the HMCS Halifax to meet the appointments of the ship's new commander, Josée Karto, the first female captain of a major Canadian warship. "Guests are advised to dress warmly in layers," the invitation noted, "and wear comfortable, flat heeled shoes." The ship stayed in Halifax Harbour due to the on-coming swells but the women got a full

for the real thing with several drills. "We started off with 'man overboard,'" says Leslie. Star strings that evening was a flaming named Oscar. Then they engaged in a computer-simulated war exercise, as torpedoes were launched at them, forcing evasive action. "We tried to outmaneuver the torpedoes but didn't, so we had to go ready for impact," says Leslie. After the war games, the women had slippy on the bridge, then a formal dinner in the officers' mess, ending the night with punch and choirs. Leslie says she slept well on the rocky seafloor. "I had a lot of pain."

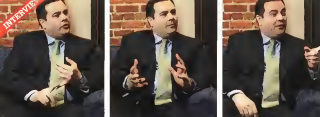
STORNOVAY
ETIQUETTE

Since moving into Seabrook, Liberal leader Michael Ignatieff and his wife, Elizabeth Zosher, have been entertaining and hosting receptions such as the one marking International Women's Day. With superb food provided by chef Josh Denchev (who was there when Stéphane Dion was leader), it can be hard to get people to leave. How do the couple hasten it's time? Says Zosher, "We just go upstairs and sit in bed."

LAYTON AND CHE

NFIP leader Jack Layton and his MP wife, Olivia Chow, organized screening of the documentary *Downteamers*. The film, which was shored up for an Oscar nomination, chronicles the deteriorating health of Aboriginal communities living downstream from Alberta's oil sands. The film was screened at a Toronto rap theatre between parts one and two of Steven Soderbergh's film *Che*. Organizers say the scheduling was purely coincidental. ■

ON THE WEB: For more U.S. court outtakes or to contact Michael Mitchell, visit mitchell.senate.gov



'It's bizarre to think someone could become a Canadian citizen without ever being told what the poppy represents'

IMMIGRATION MINISTER JASON KENNEY TALKS TO KENNETH WHYTE ABOUT CITIZENSHIP, TERRORISM, AND WHAT WE OWE NEWCOMERS

Q When you're speaking at citizenship ceremonies, you tell new Canadians their history as new citizens. What's your view on that history, that you don't want Canada to be seen as a land where people come and go with no abiding commitment to our past, or to citizenship? What is the meaning of our citizenship?

A Legally speaking it gives people status in Canada and certain rights like voting, but I think we need to infuse in a deeper sense of citizenship, a sense of shared obligations to one another, to our past, as well as to the future. In that I mean a land of civic virtues where people understand the traditions, values and symbols that are rooted in our history. **Q** They don't understand those things now?

A Well, heck, if you look at polling data, there's a massive historical amnesia about the Canadian past, and massive gaps in knowledge about our performance history, institutions, our democratic procedures. There's a massive over-ideology.

Q For old Canadians as well as new?

A Yeah, for younger Canadians in particular, whether they're new or well-established. But that's the problem in general, why are we doing it as an immigration program?

A Because I'm not in charge of the schools. I am in charge of the citizenship process.

Q There are questions about civic literacy

on the citizenship test. Are they inadequate?

A It's pretty weak. We're reviewing the material with a mind to amping up the test to ensure that it demonstrates a real knowledge of Canadian institutions, values, and symbols, and history. Right now, if you look at the preparatory booklet for the test, there's three sections, I think, on Confederation history, and not one single sentence about Canadian military history. It's bizarre to think that someone could become a Canadian citizen without ever being told what the poppy represents. It doesn't even show up in the book, but it talks about flag processing in New Brunswick and how you repole.

Q So if this is a general Canadian problem, does that mean there are problems across all new Canadian immigrants, not just you?

A Look, I think the Canadian world of immigrants, ethnicities and plurals has been pretty successful. However, the economic data suggests that economic difficulties for newcomers has declined over the past generation.

Q As for all Canadians?

A But particularly for immigrants. I think the unemployment rate for immigrants with university degrees is four times higher than that for native-born Canadians. What we don't want to end up in a land of social fracturing and so-called ethnic enclaves that are seen as parts of Vancouver. You can't just maintain the highest level of immigration in the world in relative stress without being very deliberate about helping people

to integrate successfully and quickly.

Q We're doing it for 150 years.

A Not with the same kind of sustained levels of immigration relative to the overall population.

Q A lot of points they've even been higher.

A At some points, and at some points there was no immigration. What we have that's substantially different is that 90 per cent of newcomers settling in these 100 to 150 years have a tendency to follow the natural route of all newcomers of assimilating with communities from their country or region of origin, which is not necessarily a bad thing.

Q In many respects it's a good thing.

A Absolutely. My concern is, again, recognizing that, particularly in the second generation, it doesn't find itself locked into a continuity that in some respects is more like their parents' or country of origin than like Canada.

Q Do we have evidence that that happens?

A Well, yes, there is increasing evidence. I'm not advancing a kind of assimilationist approach to immigration; I'm an advocate of our tolerance of a kind of related ethnic plural approach to integration, that is, moving out from being people in a kind of ethnic enclave identity people have a civic identity against their will. If Canadian plurals means they're getting to know one another. I mean the example of a teenage boy who comes to Richmond, B.C., from Washington. He's

probably going to a high school where 80 to 90 per cent of his peers speak their mother tongue—Mandarin or Cantonese. And now we blow the broadcast of 13 mainland Chinese Mandarin 24-hour TV programs. When does this kid have an opportunity to meet the children of Washingtonians in Surrey or old-school Canadians from Port George?

Q A school activity, or a community event, or a cultural community in order to be confident of success?

A Because ultimately liberal society, as people in a shared sense of liberal values, and hopefully a sense that we have a common enterprise here.

Q Something like a community of like-minded people is not offensive to liberal values.

A It's not offensive but I think most people would agree—and I certainly can tell you most new Canadians when I talk to people—that we need to ensure that bridges of understanding are being built between people from different countries and regions of origin. It's so serious that, for instance, many of the worst conflicts stem from newcomers from the same region or country of origin.

Q You think there are worse than there are that the older stock for lack of a better term—has toward newcomers?

A Yeah. I can tell you from experience that very frequently, when I'm at a particular ceremony, I'm pulled aside and I'm asked, "Why are you bringing these people in the country?" and then when I'm with those people they'll ask me, "Why are you letting the other guys go in the country?"

Q We're about to publish an open field poll that shows 49 per cent of Canadians believe that Islam is an inherently violent religion. There's a lot of suspicion among the general population of ethnic minority communities in Canada. Is there a real concern that by setting up programs to encourage better integration of immigrant communities that you seem to be holding the immigrants accountable for our lack of social cohesion when in fact it's a general problem?

A No, I'm not blaming anyone. **Q** You're putting the issue on them to fix it.

A To quote Tony Blair, on our liberal side, my everyone has a right to be different but a duty to integrate, and I think old-stock Canadians have a duty to open doors of opportunity to newcomers and get to know them as well.

Q Doesn't that happen naturally? I mean, you go to a job for a big corporation, you're thrown in with all kinds of people. If your life goes on and plays out in it, it'll play with other people of other nationalities and races.

A It should happen naturally, and some

times it does, but two often it doesn't, and if you look at the Pearson school where the majority are British-born, clearly that hasn't been happening, and we don't want to wait up to some time 15 years from now and find that we have allowed a similar situation to develop.

Q Do you see those sorts of failures developing in Canadian communities?

A I think we can't exclude the possibility. And yeah, there are obviously structural signs I don't need to point out the obvious.

Q What are the choices?

A Well, if you talk to any of the victims of the Air India bombing they'll tell you that there's a problem.

Q And how would your program affect these realities? A lot of the people involved in that incident spoke English and presumably were capable of passing their citizenship test. Some were well-educated.

A Well, there's nothing a government can do to completely exclude the possibility of that kind of extremism, but again we need to be deliberate about it. Come in, fight, now act quick, consider Turkey or any people waving the flag of a banned Islamic terrorist organization that are used to be making us a racist and has been condemned by the United Nations for violating child soldiers. It's called the Tamil Tigers. One of the ways in which we've given concrete expression to what I'm talking about, the clear exclusion of Canadian values, is by not honoring extremists in any context, such as this one.

A Well, I often explain that this is nothing new, that the central question in a political issue in Upper Canada in the latter half of the 19th century was Orange versus Green. I was my Green ancestor having their horses burnt down. I was Green politics, the founder of the Globe newspaper, noting Orangemen to burn down Catholic houses. So it's not anything new, but the thing that we can do to tolerate the hatred and humor, if you will, about extreme elements.

Q We're not arguing in favour of lowering the bar on immigration ceremonies. I've just seen directly how a language requirement would probably both the Green and the Orange could have passed a test to help.

A Well, there's a lot more than that. **Q** Has there been anything that's really going to address these fundamental realities?

A Well, for instance, not funding extreme organizations is a good way to start.

Q But we're talking about not funding multicultural groups generally. That's going to cause trouble for things like the Heritage Foundation in Edmonton, which makes people of all different nationalities to come together.

A Well, we don't limit community-specific activities, and actually the multicultural program hasn't done that for 15 years.

Q Reminders of the specific identities, you're here, you're there, what you call the race and nation school of multiculturalism support.

A Right. I think that's exactly what I think having a clear understanding of Canadian values isn't prevent people from importing ancient enclaves but it can only help if you say, "Look, this is a liberal democracy, these are the rules by which we play and we expect you to play by them."

With respect to the language requirement, it seems to me that a basic ability to speak one of the two official languages is the minimum sign of civic literacy. This is nothing new, by the way. I'm just simply suggesting that we should be applying it consistently. I see no solace about people bringing traditions in to do their citizenship test for them, or getting passes when they can't speak a sentence of English or French. This is a knowledge exam.



'What we don't want to end up with are so-called ethnic enclaves that one sees in parts of western Europe'

only, and I think we're putting people at an enormous disadvantage if we don't give them the tools, nor the expectation that they have some capacity in one of our two official languages.

Q The basic community could not come into play today with the current point system, and these are people who integrated quite well.

A Yeah, I agree.

Q We want our immigrant populations to be as well educated and productive as possible, but can't the greater need simply for more immigrants?

At both. Last year we welcomed to Canada 247,000 permanent residents and over half a million permanent and temporary residents. We are the only developed country where immigration is increasing rather than cutting immigration levels. I agree with the premise that the point system is a good one, but I think it's a good one that's not working. It's not working because it's not working in the economic and labour-market needs, and we end up with the best-educated and driven in the world, we end up with highly educated professionals coming from the top tier of their countries of origin, ending up working in retail jobs here in Canada as they can't get their credentials recognized. So we're making changes to more closely align our immigration program to our economic and labour market needs.

Q When you talk about those new programs in Quebec, you talk about at risk youth and combating radicalization. I'm concerned that, first, it sounds like you're telling them changes as a remedy for extremism, and second that it encourages people to think of immigration communities as being unable to integrate.

A I don't think you'll find anything I've said that supports that. To the contrary, I am a serious head-on defender of our way of life, our approach to immigration. If we ignore challenges that exist, I think that's only creating the breakdown of the pro-immigration and pro-diversity consensus that exists in Canada. Now, what I'm talking about, youth at risk and radicalization or criminality, is what people on the social left will talk about as well. Now, they'll argue that the causes are social exclusion, and I'm happy to agree with them. That's why I'm saying for kids who may never have a professional experience, let's get them in membership programs, let's help—as we do—through our career preparation initiatives. I'm not suggesting that the kids of any particular ethnicity or community are "a social problem."

Q When you say that you always point to the issue of two or three communities

A Na, I don't. I think of the Somali and the Lebanese. At that meeting, when I'm up in Edmonton on a meeting at the invitation of the Somali community, and they tell me about 13 murders that have happened, 77 young Somali kids—Somali-Canadian kids—who've been killed in Edmonton in the past year or so, they're asking for help. To say that the cycle doesn't exist is irresponsible. It's a broad social problem for which we all bear responsibility to find the solution.

Q How's the relationship with the Muslim community?

A With many Canadian Muslims it's great. With the small minority who do not speak for the Muslim community but I think represent just a fringe, not so good. I don't talk about the Muslim community in Canada, I talk about the Muslim communities, and I have spent a lot of time in the past three years with the diversity of Canada's Muslim communities all the way from the Muslim school in Halifax to the Persian community in West Vancouver. Do I get along with Muhammad Al-Nam, who said that any head over the age of 18 can legitimately be killed? No, I don't deal with people like that. I think that's the approach that the government should take. We will impact any one of any faith or any ethnicity but not those who advocate extremism, support terrorism, discrimination or violence. I'm serious.



"Then when I'm with that community they will ask me, 'Why are you letting the other guys in the country?'"

that characterizes a tiny minority of the Muslim community.

Q Are you concerned the Muslim community, or part of it, is in danger of being marginalized?

A Obviously Muslim Canadians have a particular challenge, given current realities, to explain their faith to non-Muslims, and for many young Muslims I think there are probably bigger barriers to social inclusion than for other Canadians. I spoke very bluntly about that to the Islamic Society of North America in Mississippi recently where I said, "Look, it's reality that people in your com-

munities, particularly young people and young areas, may feel frustrated because of misunderstandings about Islam because of negative stereotypes, and that means there are perhaps often bigger hurdles for people to overcome in this community, but you have to believe that in Canada still anything is possible." And I used as my example my former colleague Rahim Jaffer, who arrived in Canada as a refugee, as an infant. Rahim Jaffer, at 25 years of age, was the first Muslim elected to the Canadian Parliament, and by 32 was the chief of a government in a 6th minority. So my message is there are challenges, just like there were challenges for my Irish-Catholic ancestors that arrived in Orange Township in the mid-19th century, but you've got to believe in the promise of this country and stay focused, and not allow the challenges and the stereotypes to be an excuse for becoming bitter towards Canadian society.

Q There is—I think—an absolutely low level of tolerance toward immigrant communities in Canada still, and it's borne out again in polls and in public hearings. How do you address the reluctance of the larger community to do its part to help these people?

A We definitely don't have the kind of institutionalized xenophobia that exists in certain other Western economies. The only and obvious thing to do, from a political calculus point of view, would be to follow the rest of the Western world and slash immigration levels, and blame immigration for taking away Canadian jobs. We're doing the exact opposite thing. What did I ask Canadians, if you will, over new Canadians isn't special treatment, they owe them as honest citizens.

Q Why not take advantage of the opportunity when other nations are closing doors? We have a long-term need for high immigration.

A We are doing exactly that. We are finally again, competitive for the best and the brightest out with countries like Australia and New Zealand. If you were a brilliant software engineer from Singapore who just graduated from one of the top Indian technology institutes, you wouldn't even think about coming to Canada and waiting six years to do so, you would go to Australia or New Zealand in six months. We are making changes to better align the immigration intake with our economic and labour market needs, and that will be done—significantly, I think—improve economic outcomes. Which, at the end of day—all this abstract talk about social and race and immigration—when I meet with new Canadians, they don't get into abstract debates about pluralism and managing diversity. They're here because they want a good job in the profession for which they are trained and they want their kids to get ahead. ■

PHOTOGRAPH BY STEPHEN GARDNER

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WHAT CANADIAN THINK OF SIKHS, JEWS, CHRISTIANS, MUSLIMS...

MACLEAN'S EXCLUSIVE: A disturbing new poll reveals the limits of religious tolerance in Canada

BY JOHN GARDNER • Canadians like to think of their country as a model for the world of how all national people can get along together. But when it comes to the major faiths other than Christianity, a new poll conducted for Maclean's finds that many Canadians harbour deeply troubling biases. Multiculturalists? Although by now it might seem an oxymoron, Canadians find it in their hearts to view Sikhs or Muslims in a favourable light. Diversity? Canadians may embrace it in theory, but most say they would find it unacceptable if one of their kids came home engaged to a Muslim, Hindu or Sikh. Unsettling too? There's not much to protest: media images of war and terrorism from countries almost half of Canada says that mainstream Islam encourages violence.

The poll, by Angus Reid Strategic, surveyed 1,000 randomly selected Canadians on religious tolerance when issues of identity are at stake in Ottawa Immigration Minister Jason Kenney has had a push by the Conservative government to reverse policies, less, emphasizing the need for root books in Canada, and Kenney is looking for ways to encourage immigrants to integrate faster and more fully into Canadian society. But as federal policy strives to encourage newcomers to get down roots and fit in, the poll highlights an equal need for the Canadian majority to take a hard look at its diverse perceptions about religious newcomers. "It wasn't until we asked them as a Canadian," said Angus Reid chief research officer Andrew Greenfield, who has been probing Canadians' views on religion for 16 years. "I don't think the findings reflect well on Canada at all."

Those findings leave little doubt that Canadians with a Christian background (read through the poll) are the most tolerant. At the other end of the spectrum, Islam scored the lowest favourability rating, just 25 per cent. Sikhs didn't fare much better at 30 per cent, and Buddhists was rated favourably by 41 per cent. Both Buddhists, at 57 per cent, and Jews, at 55 per cent, were rated favourably by more than half the population—but even Jews and Buddhists might reasonably ask if that's a glass half full or glass half empty result.

Bernie Fisher, chief executive officer of the Canadian Jewish Congress, said he was shocked that so many Canadians responding to the poll were willing to be so open about their negative feelings toward minority religions. "It tells us," Fisher said, "that our society is moving from intolerance to tolerance, to where we can actually celebrate each other's cultures, is elusive."

From the perspective of Sikhs and, especially, Muslims, that's putting it mildly. When asked if they thought "extremism beliefs" of the major religions "encourage violence or are mostly peaceful," only 10 per cent said they thought Christianity encourages violence. But fully 45 per cent said they believe Muslims do, and a sizable 35 per cent saw Sikhs as encouraging violence. By comparison, just 13 per cent perceived violence in Hindu teachings and 10 per cent in Jewish religion. A tiny four per cent said they think of Buddhism as encouraging violence.

Thomas Gardner, executive director of the

Council on Islamic American Relations Canada, said "inductive reasoning" in media coverage of armed conflict in largely Islamic countries is a big part of the problem. Violence in countries with Muslim populations is portrayed as rooted in their religion in what Gardner calls a "clash of civilizations" worldview. "They're not looking at the social and economic context in which these things are happening," Gardner said. "It can't be reduced to Islam, per se."

Clearly, Islam and Sikhism face the highest hurdles when it comes to persuading many Canadians they are not inherently violent faiths. The problem varies across regions. By far the highest percentage who viewed Islam as encouraging violence was found in Quebec, 57 per cent. Sikhism isn't nearly likely to be viewed as violent in the province where about half of Canadian Sikhs live. 30 per cent of British Columbians said they think Sikhs encourage violence.

Pandora Shergill, a Vancouver lawyer who has long represented the World Sikh Organization of Canada on legal matters, said she might have expected such negative opinions about Muslims in the 1990s. Back then, the 1983 Air India bombing, the work of Sikh separatist extremists, was still a fresh memory. "In India has had a very lasting negative legacy for the Sikh community," Shergill said. "The majority of imagery of Sikhs in the media typically associates the community with that sort of violence."

Patent work trying to overcome the widespread view of Sikhs as dangerous seemed to be paying off, she said—an ill-recently Shergill said Sikhs have lately faced a "huge resurgence" of the sorts of challenges to their distinctive practices that they thought were going to see 50 years ago. In Ontario, a Sikh man is fighting in court for the right to wear a turban, but not a helmet, when he rides his

motorcycle. In Montreal last week, Judge Gilles Ouellet found a Sikh boy guilty of having stolen two other boys' school pins, but to keep his hair neat under his turban.

But Ouellet said the boy didn't see his hair pins, the small symbolic dagger many Sikhs must carry. The judge gave him an unconditional discharge, leaving him with a clean record, and said the case would never have reached his decision if the incident hadn't had a religious dimension. "Too much emphasis has been given to this," he said. "This matter should end here."

Shergill suspects that every time Canada sees news about the initial charge being laid, that the remarks of the obviously frustrated judge. And the fact that this episode unfolded in Quebec is not coincidental. The province appears to be an incubator of deep suspicions concerning minority faiths.

A mere 17 per cent of Quebecers said they have a favourable opinion of Islam, and just 25 per cent view Sikhism favourably. Only 36 per cent of Quebecers said they hold a favourable opinion of Judaism, far below the national average, and in theory contrast to neighbouring Ontario, where 59 per cent expressed a favourable view of the Jewish religion. "It's really not a shock," Fisher said.

Fisher said that, as a 90-year-old activist organization for Canadian Jews, recently reformed in Quebec wing as the Quebec Jewish Congress, a bid to highlight its roots in the province and reach out to francophones. Quebecers. He said Quebec's potential anxieties about the arrival of the French language play an important role in its attitudes toward minorities. "There are built-in fears there that have to be overcome," he said. In fact, all religions were regarded less positively in Quebec than in Canada as a whole, including Christianity, which 67 per cent of Quebecers view favourably, five points below the Canadian average.

72% OF CANADIANS HOLD A POSITIVE VIEW OF CHRISTIANITY. ONLY 30% THINK THE SAME OF SIKHISM.

45% BELIEVE THAT MAINSTREAM ISLAM ENCOURAGES VIOLENCE. 10% THINK THE SAME OF MAINSTREAM CHRISTIANITY.

PHOTOGRAPHY BY JEFFREY M. HARRIS

A heated debate over how far to go on a "reasonable accommodation" of minorities gripped Quebec in 2007 and 2008. A commission headed by sociologist Gerard Bouchard and philosopher Charles Taylor treated the province's holding of anti-controversial hearings on the subject, ultimately concluding in a final report that Quebecers could not adapt, but that their cultural foundations were not at risk.

Angus Reid's work that debate material, asking how far governments should go to accommodate minorities. A strong majority of 62 per cent agree with the statement, "Laws and norms should not be modified to accommodate minorities." A minority, 29 per cent, agreed with the alternative statement, "On some occasions, it makes sense to modify specific laws and norms to accommodate minorities." Another nine per cent weren't sure. In Quebec, 74 per cent agree with changing laws or norms, the highest single response rate on the accommodation question in the country.

At court controversy trial expectations in Canada has brought politicians to be on either side about anything that smacks of a concession to religious minorities. John Tory, the former leader of Ontario's Conservatives, was largely expected to win the province's 2007 election, until he pledged to extend public funding to all religious schools. That promise proved deeply unpopular, even with his gaffy wife. The Angus Reid poll suggests that Islam can be broadly accepted. It found 51 per cent oppose funding of Christian schools, and 79 per cent oppose funding of other religions. On even hotter button religious issues, opposition is overwhelming. Only 27 per cent would allow veiled women, and just three per cent Islamic sharia law—on one level a lower level of support than the eight per cent who would allow polygamy. Their substantial sympathy for recognizing religious holidays says, 45 per cent, but a solid majority still opposes the idea.

Leaders of religious groups concerned by Muslim domination and their opponents in that within minorities are more open, especially Toronto and Vancouver—large magnets for immigrants. Yet familiarity does not appear to be a reliable predictor of openness or acceptance. The Sikh community as a government on the West Coast, but only 28 per cent of British Columbians surveyed reported a favourable impression of Sikhs there. That was well below the figures in provinces where Sikhs are far less numerous, the neighbouring Alberta, where 47 per cent reported a favourable opinion of Sikhs, or Ontario, where 50thems were favourably by 35 per cent.

Still, many old worries for Islamic and Sikh



44%
**WOULD NOT WANT
THEIR CHILD TO MARRY
A PERSON OF THE
JEWISH FAITH.
EVEN FEWER WOULD
BE COMFORTABLE
WITH A SIKH OR
A MUSLIM.**

groups opposition to non-fostering personal contacts—the sort of bonds that grow into friendships—in the key to creating respect for their religions. "The more they people have interactions with Muslims," said Gadi from the Council on American-Islamic Relations Canada, "the more favourable an opinion they have of Muslims."

"To try to assess the extent and impact of friendships between Canadians of different faiths," Angus Reid asked, "Do you personally have any friends who are followers of any of these religions or faiths?" Not surprisingly, given that seven out of 10 Canadians identify themselves as Catholic or Protestant, the vast majority, 89 per cent, said they have Christian friends. Less predictably, given that only two per cent of the population follows Islam, fully 37 per cent of respondents claimed they

have a Muslim friend. Only 16 per cent similarly reported having Sikh friends, but 16 per cent of British Columbians did. Among Catholics, 45 per cent report having Jewish friends, from a high of 61 per cent in Ontario to a low of 20 per cent in Quebec.

Disagreement was also, Angus Reid checked to see if those who claimed to have friends of a particular religion tended to view that faith more positively. There is a correlation. Among those who said they didn't have any Muslim friends, a mere 18 per cent reported that their opinion of Islam is generally favourable. But among those who said they do have Muslim friends, 44 per cent had a favourable opinion of Islam.

For all other religions, well over half of the pool of people who have friends of a certain faith view that faith favourably. For example, 55 per cent of those with Sikh friends view Sikhism favourably, compared with just 35 per cent of those without Sikh friends. And 76 per cent of Canadians with Jewish friends are favourably disposed toward Judaism, while only 14 per cent of people with no Jewish friends have a favourable opinion of Judaism.

Beyond personal contact with adherents of different religions, there's the question of whether Canadians really know much about what the various faiths profess. Asked about their level of knowledge, 86 per cent said they have a "good basic understanding" of Christianity, compared to just 51 per cent who make the same claim regarding Islam, 35 per cent for Hinduism, 12 per cent for Sikhism, 13 per cent for Buddhism and 40 per cent for Judaism. In fact, it's a stretch to imagine that a third of Canadians really have a solid grounding in Islam. Or, to express that dispiriting another way, it is likely that Canadians are much more likely to have a grasp of the basic tenets of Islam and Buddhism than of Sikhism and Hinduism.

More likely, the higher reported levels of "good basic understanding" actually represent some superficial, impressionistic generalization from news reports, combined with negative-bias negative and positive-picked-up from popular entertainment. Generally, people's contact with non-Christian Old Testament ones, Christians, Muslims and Jews have a natural starting point for mutual understanding. As for Buddhism, he suggested the writer could touchstones established good press. "Modern times, the Beatles, all these things that feel Buddhist, even if they're not really Buddhist, let's be honest," he said. "There haven't been a lot of Buddhist wars."

Muslims and Sikhs might walk away with this vibe. But Buddhism is more than an old exercise that even a fast-growing religion can avoid rubbing Canadianism the wrong way. The

Canadian population increased 84 per cent between 1994 and the 2001 national census toll, this left the total Buddhist population nearly about 180,000, or around one per cent of the population—for two million for most Canadians to have anything beyond fleeting direct contact with the religion. Even so, Bell doesn't favourably rating of 57 per cent is far above higher than Hinduism, a religion with much deeper roots in Canada. Buddhists are the only religion, including Christianity, for which more than half of people who said they don't have a friend of that faith held a favourable opinion of any religion.

Then among those who profess a broad acceptance of other religions, the prospect of one of your children marrying some one from another faith background can be a test of tolerance. On this delicate question, though, the poll suggests a paradox. Although only 28 per cent said they have a generally favourable opinion of Islam, fully 19 per cent declared that they would find it acceptable for one of their children to marry a Muslim. The same pattern follows for the other majority faiths. Canadians reported were more likely to say they would approve of one of their kids marrying a follower of a given religion than created to view that religion favourably. So while only 30 per cent view Sikhism favourably, 39 per cent would subject to a child marrying one. Similarly, 36 per cent have a favourable opinion of Hinduism, but 46 per cent would find their child's marriage to a Hindu acceptable.

That pattern might signal an intriguing incentive to respect personal choice in marriage over misguided generalizations about religious. Still, the numbers hardly suggest open-armed tolerance: most respect to all three faiths, Hinduism and Sikhism, less than half of those surveyed said they would find it acceptable for one of their children to marry a follower of those religions. For the marriage question, the results again suggest the usual stratification. Christianity is by far the most widely accepted, followed by Judaism and Buddhism, with Islam, Hinduism and Sikhism being the most rejected. A astounding 10 per cent would accept a child marrying a Christian, 51 per cent a Buddhist, and 26 per cent a Jew.

Overall, the findings suggest minority religions aren't getting a fair shake from the majority. But there aren't legitimate questions, even misgivings, about the relationship between religious and politics and fringe extremists. Questions, misunderstandings, sometimes have trouble gauging how many Sikhs support groups that have sometimes resorted to terrorism in their quest to create a separate state out of India. Earlier this month, for instance,

**NATIONALLY,
62%
THINK LAWS AND
NORMS SHOULD
NOT BE MODIFIED
TO ACCOMMODATE
MINORITIES.
74%
THOUGHT SO IN QUEBEC.**

protests at the sessions of former Indian prime minister Indira Gandhi were rapidly an display in Bombay, B.C., at celebrations of Vancouver, the birth of Sikhism, and the images even appeared on T-shirts. (The leader Shergill responds to questions about

this sort of issue by making the simple, but harsh and odd, point that was everything a particular Sikh expresses should reflect on himself in a whole.

Muslim groups also face a mixed field of fringe challenges, which often flow from international affairs rather than domestic life. Canadian citizens, for example, his organization's campaign urging the federal government to release Omar al-Bashir might convey the wrong impression to some Canadians. After all, Bashir, the Canadian being held by the U.S. in the Guantanamo Bay detention facility, is the son of Ahmad al-Sayid, who was an al-Qaeda member before he was killed in a gun battle in Pakistan in 2001. Other members of the Bashir family have made outrageous public comments: "We, some of the things that have been done here have been troubling and uncomfortable," Givens said. "But as a Canadian citizen he still has rights. He's a Canadian citizen and he's a human. That's what we're inherently with our country's creed with."

The problem of how to protect a moderate site of Islam in a wider Canadian public is a pressing challenge. Within diaspora Muslim communities—and the religion is anything but monolithic—the nature of

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religious leadership is a subject of sensitive, sometimes fierce debate. In fact, that argument is currently raging at Ottawa's largest mosque, just a few minutes drive west of Parliament Hill. An imam mounted last year from Egypt to preach at the mosque is regarded by some who pray there as not fluent enough in English and too out of touch with modern Canadian society for the job. Others say he needs more time to find his place.

Karen Karm, a communications professor at Carleton University in Ottawa, recently released a report based on extensive surveys and focus group sessions in Canada, the U.S. and Britain that found Muslims in all those countries yearn for someone who better understands the West. "There was a lot of frustration for leaders who were engaging in issues of youth, poverty, employment, women's issues," Karm told *Maclean's*, "rather than just knowing the theology and being able to recite the Quran."

Perhaps a new generation of Muslim leaders must attend to Canadians' sensibilities as fully bridge the obvious gaps in understanding. Karm points to progressive conservatives that have built up around a handful of isolated issues. According to him, there is a "very malleable, very diverse" set of ethics and values about leading a Muslim life—no rigid legal code. He describes a focus on an "informed opinion by a learned scholar"—not a death edict. And Karm says most Muslims desire a pluralist "as a daily struggle to be a good Muslim." But he adds, "it would be dangerous in my opinion to say that, no, the other side does not exist. It does exist—the taking up of arms for a cause of justice."

His willingness to try to explain details, contrary manners, even underlines contradictory issues—in all suggests that Karm crosses dialogue on a level the Angus Reid poll suggests too few Canadians are ready for. Eren Goral, a 36-year-old imam in Toronto, says he has long experienced troubling all sorts of opinions, from the landscape of attacks toward unfamiliar faiths back. "This run-around to all we experience," he told. "We need to face up to the reality of it." No doubt indeed the fast-growing, little-understood religious minorities need to sound like the majority project. But the rest of Canadians might try a little and searching, too. For a survey that offers hints of moderate diversity based on acceptance of diversity, this poll suggests that's still a goal to strive toward rather than an achieved reality. ■

Angus Reid's online poll was conducted from April 14 to April 11, 2009. The survey of 1,000 adults 18 years and over. The results were statistically weighted for education, age, gender and region to ensure a sample representative of the adult population of Canada.

Mon dieu, they really like him

Can Ignatieff rescue his party's reputation in La Belle Province?

BY MARTIN PATRICHON • He came to Quebec to flag his book, but Michael Ignatieff's three-day blitz through the province felt a lot like an election campaign. He was on the radio, spinning his past about time spent on his uncle's dairy farm in the Eastern Townships. He was an television, charmingly misquoting his French spouse. His word on the broad-and-burner issue of identity—"What I offer to Quebecers is that you can be a proud Quebecer and a proud Canadian in the order you choose"—was at one reported sound bite. "There is a certain continuity about our lives," he said during one radio appearance.

Curiosity, not, so, let, approval. The polls have been very kind to Ignatieff since he became Liberal leader in December—particularly in Quebec, where the latest Elap poll has the Liberals up 11 percentage points since the last federal election. In October, two prior polls told a similar story: the party, once near death off the island of Montreal thanks largely to the sponsorship scandal and the disastrous reign of Stéphane Dion, had supplanted the Conservatives as the leading party of choice.

It's not quite a French kiss—not yet. But support for the Bloc Québécois has remained steady, and Iggy's good fortune likely has more to do with Stephen Harper's collapse in La Belle Province than the Liberals' political brand, which admittedly had nowhere to go but up. Still, internal Liberal polling conducted while Dion was leader showed Quebecers favored Ignatieff over Harper. Dion at one time leadership hopeful. But in a francophone crisis, the poll also found Ignatieff's "message of respect and tolerance to candidates—lower than anywhere else in the country. And unlike Harper, whose support that up a 2005 only after he promised Quebecers to cut the UNISCT table, Ignatieff the politician has set to despoiling others here beyond a hook tour.

Part of Ignatieff's allure, towering, socially "He's an unknown quantity," says Antonio Maitre, a political-science professor at McGill. A Liberal since becoming politically aware, Ignatieff has nevertheless been spared the scandals and party-melting. His book isn't particularly popular in Quebec, and his views

(and wife) on Iraq aren't as published. Instead, he is known for his decent French and for being an intellectual. "Quebecers are more at ease with intellectual leaders," says pollster Christian Bourque. "Quebecers supported Trudeau, Pearson and Bourassa. Even René Lévesque was serious journalist before he made the move to politics. There is a deference to authority here, maybe it stems from the Church, because we believe our leaders are people who can teach us something."

But Quebecers may not like everything Ignatieff has to offer. His (more recent) conversion to the wonders of Alzheimer's research, for which the chattering class have ascribed



QUEBECERS are more at ease with intellectual leaders' like Ignatieff, says a pollster.

ing danger. And so he found out last week, when he was reportedly raised over the coast on Radio Canada, many Quebecers who do know his politics believe Canada would have joined the U.S. in Iraq if he'd been at the switch. The Bloc has certainly taken note, it plans to make known Ignatieff's political stances, past and present, from now until the next election.

"Our message will be to respect the Liberals and the Conservatives are at the same," said Bloc MP Pierre-Paul. Ignatieff's conversion "for plebiscites," Harper did the exact same thing before the last election, and Quebecers remember that. "In June, Parliament will vote on a bill that does would effectively give a green light to federal officers in Quebec. The Lib crack, it is widely believed, will reject it—in good, because yes, that Ignatieff's Quebec talk is just that talk. Still, he adds, the Liberals will be important adversaries for his party in Quebec, it is perhaps the greatest danger now you could pay to Michael Ignatieff in just four months as leader, he and his party have become visible targets. ■



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'THE ONLY WAY WE CAN LEAVE IS BY BOAT'

An 85-year-old farmer is among those left stranded by the flood

BY NICHOLAS KOHLER • Eighty-five-year-old Ted Sébastein has lived alone on his Montserrat farmhouse ever since his wife, Bella, died a little over two years ago. Widowhood is already a lonely state, so Sébastein was perhaps always too well prepared when, on April 6, the Red River burst its banks and, joined by its tributaries, ripped open across the valley. The flood waters eventually covered 1,600 sq. km of Manitoba, forcing the evacuation of some 2,000 people.

Through it all—for more than two weeks so far—Sébastein, a lone farmer, has stayed put, his little house perched on a plot of land "like an island in the middle of the river," as the 57-year-old son Donald puts it. His road access to the nearby Winnipeg area (a mere 100 km) is cut off. In fact, Sébastein, on the east bank of the Red some 50 km south of Winnipeg, is frequently the first to close during floodings. So Sébastein stocked up on food and a month's supply of medicines. For a week, chunks of ice floated past his home, preventing him from leaving it; still, now he is able to travel to town only by boat, when the winds aren't too fierce, and will likely have to do so for the next three weeks. Sébastein would have starved otherwise. "I came to go elsewhere?" he asks in French. "Who would work my pumps?"

Sébastein outspaced the waters by moving his air conditioner, tractor, beer and his 1983 Chevrolet truck to higher ground and propping the 30-foot, 10-hp motorboat. When that much-crumpled flood escape was in the second week, "I was able to cross the river," says Sébastein, who dragged the boat off his lawn and into the floodwaters. "And I did," he continues, "the only way you can leave is by boat." That "wasn't a life." It can be a treacherous journey. On windy days, waves swell behind the boat while powerful currents work beneath it. "It depends how heavy you are with your boat," he says of the dangers of the river. "I say it's not safe, it's not safe." Sébastein, 85.

A typical day now consists of working the pumps that keep Sébastein's business dry, making sure the electricity remains flowing (the Sébasteins have provisions stored in full)—and eating. "What do we eat?" he says as he does normally, "any Sébastein." "We eat



do some shopping—we've been to the village once already, and we bring back provisions, enough for 10 days." It gets to Sébastein, which the locals pronounce so that it rhymes with "farm," by boating for 15 minutes to his waiting Chevrolet, then driving up Provincial Trunk Highway 75. The corner away of St. Jean, population 1,000, is due under siege. "When you stand on the dike, so far as you can see it's water all the way around," says Lucien Jean, who sits on the local government.

So Sébastein's two sons each occupy farmhouses two kilometers away from him, each now on its own island and each now home to confused squirrels, rabbits and ducks that have found refuge there from the flood waters. "He's got somewhere else to go," Don-

ald says of one skunk on particular. "We keep our distance and go about our business." (Elsewhere, but far away, don't build on the occasional patch of high, dry land, says Sébastein, though many people when given reviews, they risk swimming toward a disaster during of men and women.)

Not that any of this is new to Sébastein. His farmlands, where he grows wheat and canola, have been passed down through four generations. "I have experienced all the floods," he says. "The first one in 1948, and the second—which was the worse—in 1950. Since then we've experienced disease. But that time now is one of the worst, for the duration and isolation." Why? says the quiet man Sébastein. After *Invasions de l'Est*—the 1997 flood of the century, when



MANITOBIANS struggle in the aftermath of a flood that has left 1,600 sq. km of land submerged, and forced some 2,000 people from their homes.



the Red spanned 1,600 sq. km and washed through Winnipeg—flooded his house more than two meters. "It cost me a lot of money," he says. "I would work the pumps, to make sure they worked well, and all that I had to pay."

Sébastein says the floods are getting worse since his childhood, and blames the trouble on modern drainage systems that spill the rushing Prairie snows on spring simultaneously into the Red. He is not worried so much now about the isolation of his little island but his champagne—the fields—the river after he had in water and the water when he played, which must now be scarce. "The prospects for us, the farmers who remain near the Red River, are very, very poor these years," he says.



After the flood waters recede, Sébastein and his sons will clear the fields of debris, the tree branches, the garbage and the dead deer. They will have to wait to work on the earth to dry and then try to seed the spring wheat. "In 1950, we weren't able to," says Sébastein. "I hope that it's going to be better than in 1950."

Sébastein has a long career as a flood relief

up his home that's now an island. "I've been living here all my life," he says. "Before I got married in 1946, I was living just next door with my dad and mom. After I got married I built this place here and I've been living here 62 years now. I lost my wife two years ago. We celebrated our 60th anniversary and then she passed away two months after that. So now I'm alone by myself." ■



THE INDUSTRY WATCHDOG THAT REFUSED TO BARK

"Sure we know what the situation was with Comstock, but I did not do with everybody else. But I'm not running TCID to close people down. If people are in financial difficulty, we try to work with them."—Michael Phipps, president of the Trade Industry Council of Ontario, an industry watchdog, on why his group didn't warn consumers. Inquest: I would have been about to collapse. The four company's demise stranded thousands of holidaymakers overseas.

PHOTO: JEFFREY M. HARRIS

PHOTO: JEFFREY M. HARRIS

The left side of Iggy's brain vs. the right

ANDREW
COYNE

As always with Michael Ignatieff, there are the core traditions. Awaiting his coronation at next week's party convention, the Liberal leader is everywhere, in interviews about and

True Patriot Love. And the more he speaks, the more the contradictions mount.

The Ignatieff who once declared in *The American Alliance* that "I do not believe in roots" now dwells on them at length, emphasizing his four-generation heritage of attachment to Canada. The cynicism of the old Ignatieff who once believed that "life was elsewhere" now seems to be known as sternness who is "anchored in the country." The British release Ignatieff's personality who publicly despised, after the 1995 referendum, that he was "very hard put to see what kind of future we have" now batters that "his country is not close the story has only just begun."

Well, fine. People grow and change. It's entirely plausible that the cosmopolitan writer, hunked at last after his 30-year sojourn abroad, is so happily converted to domesticity as he seems—that it was indeed, as he says, the growing sense that he would never really be home anywhere else, and not the chance to take a burner on high-level politics, that impelled him to return.

But the more there are those internal contradictions—between the younger and older Leggett, but between, as it were, the leftisms of the *know-nothing* *Myths of The Prairie Law*, a meditation on Canadian nationalism told in a history of the barbers the Grims, a quest over so an efficient dismantling of the transmission of the uncle, George Grims. There is a contradiction over here, though it is not there in quite possible "disagree with every page" of Grims's *Lawrence for a Nation*, a historical piece of warmed-over Brauntonism with John Deibelbauer as its romantic hero, and yet also to believe it

"the greatest 50-pages-over-written about our country" It is great in the way that all the great opens are—because of its honesty.

But how do we reconcile these two thoughts—on the one hand, Ignatieff's rejection of Grant's material, neo-Marxist and neo-capitalist, his "worn out clichés of dependency," and on the other, Ignatieff's own dazzlingly successful upgrade of a massive national public works program, highways and hydro grids and (God save us) high speed rail, all in the name of creating the same north-south pull of efficiency and "technique" that so enraged his



Got it: will. One people. But how to square this with his idea of Quebec's nationhood?

uncle Railway nationalism, in other words
Talk about worn-out clichés

For someone who has been in such haste to declare the National Energy Program a mistake, Ignatieff sounds in *reflex* for the *Mac* (London, June 1980). Why, he asks, does "as much of the oil and gas we produce [flow] south without even being processed?" Why do "we ship oil from Alberta and Saskatchewan to the American states while exporting large quantities from Venezuela and the Middle East" to Eastern Canada? Why have we "never created a petroleum reserve to protect our citizens against fluctuations in supply from foreign countries?"

Well, he knows the answer, because the

implied alternatives—capping oil exports, diverting reserves oil in Eastern Canada, shutting in production—make no earthly economic sense, not to say they increase several NAFTA articles. But that's just "the logic of money," he says. "What he wants to know is, 'what exactly is being Canadian worth to us, in dollars and cents?'" Given we'll find out

Still, it's hard not to like his ambitious vision of Canada's place in the world—in substance, he says, of his parents' poster a prisoner I was impressed by his stern definition of patriotism, as "the sentiment that makes people demand reform, change and improvement in their country," rather than the back-passing complacency that so often prevails about its state. Successful societies, he writes, "struggle with their deficiencies and overcome them through collective efforts of will and sacrifice." It is this sentiment that makes us want to be a people.

Got it? No sacrifice. One people. See how do we square this with his enthusiasm for recognizing Quebec as a "nation," complete with his suggested *cantabile*: *le Québec est ma nation*, le Canada est mon pays? Could there be a more explicit statement that we are not one people? Or what do we make of this statement, from last month's Liberal party conference in Laval: "We offer you the freedom of belonging to Canada and to Quebec, is the order you prefer?" You're a Quebecer first, and a Canadian second? Fine. He's down with that. Your primary allegiance is to B.C., or Nova Scotia, or Newfoundland? Whatever (just as long as we all "find in our hearts a place for Canada").

A more direct statement of national self-negation could scarcely be imagined. It's not that what he's saying is pure, chilly new-fishy sort of famous phrase our political class long ago learned to recite, to externalize, to utter, after collages of nerve. But it leaves

precious little room for concepts like "will" or "sacrifice." People only make sacrifices for one another when they are willing to put each other first. When they put each other second, they are expressly asserting an unwillingness to sacrifice.

But that's the thing about Ignatieff: What ever you're for, he's for it too. No one any more, and he'll agree with you on it. Even if he has to turn himself inside out to do so. ■

ON THE WEB: For more Andrew Coyne, visit his blog at www.mackays.ca/andrewcoyne

Man claims \$200,000 for herpes

BY CATHY GUNDEL — In getting a rare disease on a "someday" Randolph Gilchrist, who was paralyzed after contracting herpes, believes just that his insurer, which is fighting the lawsuit, placed disability claims, controls that if illnesses are considered accidents, then everyone's insurance premiums will also skyrocket.

After Gilchrist, 48, had a seizure and a stroke, those premiums in early 1993, he developed his pen simple type 1. The disease progressed into a rare inflammation in his spinal cord and within weeks he was paralyzed from the neck down. Gilchrist, who lives in Port Coquitlam, B.C., and worked as a high pressure water blaster, was insured by Co-operators Life Insurance. His medical bills for the disease, otherwise, place plus \$300,000 for "pen-



**IS GETTING
a disease from
unprotected sex
an 'accident'?**

his paraplegia was caused by a disease (herpes), and that disease is not accidental. In 2003, the U.S. Supreme Court ruled in favor of Gibbons, saying that contracting herpes when having unprotected sex was as accidental as "being bitten by a mosquito carrying the West Nile virus." Co-operators appealed provocatively, but their move was upheld. Last week, the federal court heard yet another appeal, and the verdict is pending.

Gibbons can't understand why the answer is being so combative. "They're such a huge company and I'm just one little person," he says. His lawyer, Guy Collins, adds that the warning of rising premiums is an empty threat because there have been so few incidents like that of his client. "It is simply not supported in reality that there would be a flood of similar complaints."

But Bruce Laughlin, a lawyer for Co-operators, says the case is "an issue of national importance." If the ruling against the insurance firm isn't overturned, he says, then coverage could go more easily for every case. Patricia Jackson, lawyer for the Canadian Life and Health Insurance Association, agrees. "Rates could go up, coverage will be cut back, and many people may not qualify," she cautions. ■

The new face of resistance in Quebec

BY MARTIN PATRIZIO • They effectively stopped the federal government from financing the battle on the Plains of Abkhazian last fall, but they're not stopping these Abkhaz. The members of Russian de l'Armée de Québec are planning their next coup d'état, a "coup" on the "barricade" of Québec's Centre de débats et observations.



THEY WON the Plains of Abraham II. Now the RBC is back for more.

On May 11, the HBC, which has seen a membership roll soar since folding plans to re-tack the British victory over the French in 1759, will lead what organizers call a "tax cutters" rally—so named after France's working class during the French Revolution. That time the target is diagnosed public pension fund manager La Caisse, "a notorious institution that has become the ultimate symbol of economic exploitation of Quebec's workers in past and now."

Former in 2007 over pains and migraines after in a Quebec City bus, the RRR is led by Patrick Bourgeois, a fiery pamphletist and image who recently said that he'd "be happy to see Quebec's trash-ridden station burnt to the ground." At a recent RRR meeting, some members expressed nostalgia for the Front de libération du Québec (FLQ), the terrorist organization responsible for unleashing the October Crisis in 1970. Just the possibility of violence was enough for the National Justice Commission to pass a bill to the Plains of Abraham reclamation, a cancellation that brought new found media attention to the RRR, which Bourgeois says now has four members. "It had a huge impact for us,"

Still, Bourgeois says he doesn't want the PQ to become the FLQ surrogate. "It would hurt the separatist cause, because Quebecers aren't used to that sort of radicalisation," he says. Rather, he espouses civil disobedience as a political tool. That he assumes that a tomorrow's "assault" in Montreal, protests, or violence, will rule the day. ■

Many cities still dump raw sewage

BY BEN MAGDOOSH • The beaches at Halfon Harbor opened last summer for the first time in years—a flooding event, manual dewatering and a storm had repeatedly closed the beach. The beach was closed again during heavy rains and the harbor area after the failure of a key part of its \$100-million sewage treatment system. It may take a year to repair the plant after a power outage caused a valve to fail in Jersey. Flooding the building with seven million tons of sewage. City officials will open an electronic black box that may that year reveal who is responsible for repairing the facility, which opened in late 2007.

The plot's failure is seen as an attack by Ecojustice Canada (formerly Sierra Legal), an advocacy group that ranks the generally diluted waste water treatment issued by Canadian municipalities "Hazardous with power ratings all the time as Halifax should have been perceived," says Elaine MacDonald, a senior specialist with Ecojustice. Halifax, Nova Scotia, visited St. John's, Nfld., where it assessed sewage grades in the group's 2004 National Sewage Report Card. It estimated 200 million litres of raw sewage is dumped annually. "Mind-boggling sewage is the crime here," says one of Ecojustice's 2004 report on Canada's



HALIFAX is dumping raw waste again, after a new plant failed

and it gets very little attention," she says.

Thereafter, progress is slow, but steady. In February, federal and provincial environmental ministers signed an accord requiring all 3,100 Canadian treatment plants to upgrade to remove solid waste and most toxics. The cost is estimated at \$10 billion to \$15 billion over 10 years. A plant in St. John's will open this summer, and construction is set to start soon on a \$42.5 million plant in Saint John, N.B.

Meanwhile, the B.C. government has ordered Victoria, which fishes its untreated waste into the ocean, to choose the location of its treatment facilities by year's end. That project is estimated to cost up to \$1 billion, and should be operational by 2016. ■



INSIDE THE BATTLE ZONE

SPECIAL REPORT: Sean M. Maloney goes on patrol in Kandahar, where the insurgency is now more dangerous, and more international

Sean M. Maloney is a professor of history at the Royal Military College of Canada and has travelled to Afghanistan regularly since 2001. The author of the forthcoming *Conquering the Ghazni: A Regime's History in the Mountains of Afghanistan*, he is currently writing a history of Canada's war in Afghanistan.

The grey-uniformed Afghan police, accompanied by Canadian soldiers from the Police Operational Mentor and Liaison Team (POMLT), were walking their way on a patrol through the crowded market in Bazaar e Paykwa. The market, lined with stalls selling everything from oranges and pomegranates to culturally embroidered bejeweled scarves, runs along both sides of the town's main road, anchored in the west by the main Canadian and Afghan base, and stretching to the east to the dangerous LED

and educational centers in the confidence of the volatile Paykwa and Zangeneh districts, with brand new gated highways that connect it to Kandahar city and the vital regional trade route, Highway 1. A dead-end bazaar no longer, children from distant villages attend the school there. It is a wonder that the war zone wants to interfere with a through military, unopposed explosive device (IED) and intimidation? The banks for Bazaar e Paykwa have, but it is a bank with the last gasp of the Opération Méridien back in 2006. Bazaar e Paykwa is a microcosm of the counterinsurgency fight—and it is a case study of Canadian-Afghan co-operation that is critical to success in Afghanistan. Police work should be at the forefront of any winning counterinsurgency effort.

There are many non-traditional Canadian military units involved. One of them is Construction Management Team 1, CMT 1, by coincidence, is commanded by a former master of mine, Capt. James Hanning. She is an artificial construction engineer who leads a mix of navy plumbers, air force carpenters, and even submariners in armored vehicles. Their task is to construct and protect a paving project in Paykwa district. Constructed as efficient and poorly conceived, this is a self-inflicted project here, it turns out, had no visible added positive effects on the population in the district. It employs between 400 and 475 people, almost all of whom are from Paykwa.

"We noticed that there was a macro con-

tingency to enter the workers' needs" Hanning explained. "It was small things at first—the cracks, the holes and the small holes, then we noticed that the workers were progressively better dressed and wearing dust-proof shoes. They started using bicycles to go to work instead of walking. Nowhere even have motorcycles." There were rumors that the district leader demanded backbills, but even that was no deterrent—those men are paid at a rate one-third higher than the others, and it is a difficult disposable income was a good thing. So did their wives, a plus only. The quality and availability of services in the bazaar has markedly improved, something I noticed while I was on several foot patrols through there.

The insurgents rejected, too—and attacked the project. Starting in November 2008, small arms, rocket-propelled grenades (RPGs) and

sooty bricks were thrown by men in the local militia by night and discovered that the mosque was in danger. "The windows were broken, leaving the building cold and dusty in the winter, which discouraged people," he explained. "And the spicular system was ruined." CMT 1, with the help of a Civil Military Co-operation patrol—the apex and seen in the field of the Canadian-led Provincial Reconstruction Team—was able to secure money from the Canadian's Community Fund to help repair the mosque so the militia can more effectively counter the message of hate spread by the Taliban. "I could be killed for just talking to you," he told me. "Ashraf! I won't be, but please thank the Canadian army for helping fix our mosque." The effort, Goodwill in the community is one—but there were more.

I accompanied Capt. Chuck Pickett and his

sons, the population that they were in charge. As the patrol moved on foot through the zone, trenches, grape driers, holes and irrigation watercourses south of Bazaar e Paykwa, we came through that the insurgents had laid an IED ahead of the patrol. The ANA patrol commander returned the patrol to bypass the device and then put observation on the one used disposal specialist—a man owned by Canadian combat engineers—could enter and investigate. "We think they are specific allegations the Canadian monitors," Pickett explained. "They want to kill the teacher so the students can't learn." I asked the Afghan patrol sergeant to see what was going on. "Yes, sir," he replied. "We go very angry when they do that. You see our guards here."

On Dec. 22, Warrant Officer Graham Johnson, two Afghan police officers, an interpreter from the POMLT, and Sgt. Gregory Kruse, a



A CANADIAN SOLDIER in Paykwa (left), an Afghan National Army soldier carries the body of a suicide bomber (right). Our troops now go out regularly on patrols commanded by the ANA.

minefield was detected against the CMT 1 crew. Then an IED was found near the project's gravel pit. Another IED detonated when a mechanical loader maneuvered into it, injuring the driver. In January, an insurgent bomb hit a fuel tank as it was pulled up a pressure pipe IED that had just finished laying at the door of the project office. The insurgents opened the area and started to kidnap and threaten workers. "But they still allowed us" Hanning told me. "There were 21 witnesses out of 400 workers—even after the attack." And the road is getting paved—slowly, but it is getting paved.

Col. Joe Wright is a real character in a Canadian history of baby boomers, he drives a white truck like a truck from the 1950s on the yellow head 40 mm grenade rounds he carries. Joe is part of the CMT's

area working with the Afghan National Army on a patrol in Bazaar e Paykwa. I wanted to see how the ANA was progressing. In 2006, it was nearly incapable of conducting on-patrol operations, even with men in uniform. Pickett explained that he now regularly went out on a patrol piloted by an Afghan company commander and led by Afghan platoon leaders. Like any army, quality will vary, but this group, a platoon from Weapons Company 2nd (Strike) Kandahar, all had baby armor, helmets and casualties since C7 months later. This was not the map force I saw in 2006. It was definitely not the Mad Max militia I dealt with back in 2003.

The idea was to secure an armed presence to let the population know that the Afghan government wasn't intimidated as passed down in its books. Probably, the enemy would try to counter this in order to "mes-

THIS WAS NOT THE 'MAD MAX' STYLE MILITIA I'D SEEN IN PAST YEARS

coment engineers, were considered while trying to defuse an IED (head) by the police near the market. Later, two other Canadian POMLT members were seriously injured in two other separate attacks involving IEDs and shoot-ups. Policing is the key to any counterinsurgency effort—the police have regular contact with the people and are critical to local justice resolution—but the grievances generated by the lack of dispute resolution are explained by the Taliban for their purposes.

The short warning on our patrol, incidentally, came to the police from a private of someone working on the CMT's paving project, and was relayed through the Joint District Coordination Centre, an institution that was non-existent a year and a half ago. I was told that significant amounts of information on enemy activity came through police sources and also directly from the people to the JDCC, but the further Afghan telephone companies came in to the Taliban's attention and shut down all coverage between 7 p.m. and 7 a.m. meant that the citizens of Bazaar e Paykwa were unable to call the police during the night (Imagine not being able to call the police at night if someone broke into your house, raped your significant other, and beat up your kids. Would you have confidence in your government?).

That was exactly in the nature of the issue from three to Bazaar e Paykwa? It comes from three groups. First, there are "institutional issues." These are military-related issues in their 20s or 30s, controlled

weapons convoys being openly identified as insurgents and operate at night. They harass, kidnap, and abuse citizens closely identified with the government. Over in Zhawaj district, for example, pairs of insurgents even counter the customary *shura* (assemblies) between the elders and the security forces on behalf of the Taliban to ousting areas. Second, there are the IED enforcers. There are several separate cells. One is engaged in running the highway run of Buzar-e-Pajaw to isolate it from Kandahar city. The other, which may overlap with the assassination teams and is indigenous to the area, lays mines and IEDs specifically to kill the police in the area and encourage freedom of movement. Finally there are "missile force" units. These are trained and organized guerrilla units from outside the city, with access to heavy weapons—artillery, RPGs, rocket launchers—and communications. The purpose of the first two groups is to destabilize the area so that the guerrilla force can mount large-scale actions against the security forces and seize control of the zone.

The success in Canadian and Afghan operations here has in part as the enemy's inability to do better, and the fact that the core anyway standard of Buzar-e-Pajaw keep proving despite the insurgent violence. (Slightly misreading the mission of "significant action reports" in therefore not a useful way to understand what is happening in Buzar-e-Pajaw.) This is why Canada keeps a potent battle group on top equipped with Leopard 2 tanks and M-777 artillery—no discount a buildup of main force insurgents. Each organization has a role to play. Afghan police and Canadian members interact to handle the Taliban's "hidden face" like urban fighters and IED enforcers. Canadian units and Afghan infantry take out the main guerrilla light infantry. The Construction Management Team, Civil-Military Co-operation teams and direct coordination centers support the reconstruction efforts of the Afghan government in Pajaw.

These mechanisms are not without their problems. The main strain, aside from the insurgency, is district governance. Local and central personnel policy for influence, using what amount to Mafia-like extortion and infiltration tactics. This behavior undermines the government's legitimacy with the population. My Quetta battle, a specialist in information operations and Afghan culture, came the IED enforcers. Deal with it as an analogy to the situation. "There is a lot of urban warfare in law and how to outmaneuver progress toward legitimacy and diffusion. That's what we're trying to do here with our Afghan partners." The small



men Afghanistan over the past two years. This is a low-mission version of the Taliban. We used to see people in the Taliban with "live zero," followed with his teenage sons. He's been studying the education of a society that already has an literacy rate of over 80 per cent is nothing short of fabulous. It is not merely different from what Nazi Germany and the Soviets did to the Polish intelligentsia during the Second World War.

Ironically, I was there in a neutral Taliban manual detailing various ways of attacking our vehicles and

used at all. It looks outdated. "Oh those," the specialist corrected. "I saw them in Iraq. They're now produced in a calculation factory. They even have engineers that's sent out to insurance groups bragging about how effective they are." An IED bomb? Surely how many Canadian have been mowed down using Iranian IED complexes? Or how many Afghan soldiers and Canadian marines have been wounded by Iranian mortar bombs fired from Chinese rockets against our strong points over in Pajaw? And the Chinese? They're useless if you used against our vehicles? These weapons weren't shot out of the ground from mobilizing 1990s insurgents. They're now being used where they're not, Afghanistan.

Since the Canadian Force in Kandahar has no mandate to operate outside of Afghan state against the insurgents to support networks in Pakistan and elsewhere, we must rely on

the plight of dual soldiers in Africa. There is no evidence of a private Canadian diplomatic offensive directed toward the Pakistani government that governs a country where the madrasas continue to pump out seemingly unlimited numbers of bearded fighters to fight our forces in Afghanistan, and where money continues to flow from certain Gulf countries to support those madrasas and radical Islamic groups. It's nearly half a decade that we've concentrated operations in Kandahar province.

Canadian diplomats led the charge in getting the United Nations to adopt the "responsibility to protect" doctrine and mobilized about genocide in Africa on numerous occasions. Does the doctrine not apply to Afghanistan, with all its contemporary racial hatreds that Canada like to resist? Why is Canada's foreign policy apparently less interested in the case of Afghanistan?

Similarly, where are our public denunciations against Iran and China for permitting Iranian and Chinese-made weapons to be smuggled into Afghanistan and fired at Canadian soldiers and fighters? Why go about the business of reconstruction? Pakistan, China and Iran are not supportive of Canadian interests in the region and we should signal our displeasure in often and as loudly as possible, with as many Canadian voices as possible. Their endurance is helping Canadian soldiers and Afghan civilians.

CHINESE MORTARS FIRE IRANIAN-MADE BOMBS. WHERE IS THE OUTRAGE?



of accused militia belonging to a tribal leader from another district had to be funded down and turned back by the Afghanistan and the Canadian mission. In another case, a young man wearing a police uniform shot up the market, wounding a police policeman. He had no connection to the police—or the insurgent group. Sending Canadian diplomats and soldiers to provide advice on military affairs may be out of order—Canada may need to think about sending more and down man agents to work alongside the Afghan armed, along with more civilian police.

The pattern of violence that emerges, when one looks at the past 15 years, reveals a number of disturbing trends. Almost all of the 1980s Afghan mujahideen leaders in the local

level, men who were not backed by the Pakistani Inter-Services Intelligence (ISI)—and who held the respect of the population and could lead—have been killed, at least their most prominent national-level counterparts, leaving their old ISI supporters with little to do. The Taliban deliberately target elders and criminal personnel, thus demonstrating its driving away the only educated professional class. There has been a systematic assassination campaign against the police force's middle management, particularly the administrative staff, where most of the educated police conscripts. Similarly, there has been another systematic campaign directed against moderate, educated elites in south



fire and rockets and mortar at our bases. There were complex mathematical firing tables at it. This money doesn't appear to be Islamic. I participated in an operation that was designed to destroy the enemy's building and draw off heat from the Pajaw Zhawaj district conference. After the helicopters left the landing zone, I accompanied American and Canadian troops in to a village located in western Zhawaj district. A dog unit team working with the Afghan police uncovered a small but significant insurgent cache. The stash amounted to a terrorist "starter kit." I spoke with an American civilian caught by the Taliban in a pickup up one of the IED complexes after he'd been shot. "Where is this from?" I asked. "It doesn't look 'impro-

visory." What is Canada's foreign policy apparatus doing to help search this area? Very little, apparently, and this is a weakness in Canada's approach to Afghanistan. Canada has, essentially, a "whole of government" approach to Afghanistan. The Canadian government departments co-operate in the pursuit of Canadian interests. Canada doesn't appear to have a "whole of government" approach to deal with the strategic and regional aspects of the conflict. Indeed, these departments seem much more in the 1990s. We have not seen a comprehensive information campaign from the Department of Foreign Affairs explaining how the Taliban manipulate and abuse young men for their corporate purposes. So we do better off about

After I finished with the American IED specialist, I encountered an elderly man, who asked that not such a name out of line of resistance by, as he put it, "they're young ones." He had a tanned, deeply lined face, an impressively clean mustache, and a generous laugh. Through my interpreter, I asked what it was like during the 1980s. "Oh, that was our time, back then," he said, his eyes lighting up, and he began to speak with tales of valor against the hated mujahideen, fading even to now nearly five decades except in local and tradition.

"Please tell me that," I asked him. "The Taliban and others say that we are an aid in the Soviet. Do you agree?" He looked at me and nodded with an old man's laugh. "My friend, no. The Soviets behaved like they don't care of the lowest forms of life in Afghan culture, shooting people randomly and bombing randomly from the air with their planes and helicopters. You do not. We know you are here to help, but we need your help here in the villages, with the people. Our biggest problem is lack of leadership. Most are dead and I am too old to prevent. My nephew named Afghanistan will continue to bleed until there is a leadership and unity." ■

PHOTO TOP BY AP/WIDEWORLD; BOTTOM BY AP/WIDEWORLD

100 DAYS OF 'CHANGE'

Not all of the President's moves have broken with the Bush past **BY LUIZA CH. SAVAGE**

In the span of 100 days in 1933, Napoleon Bonaparte escaped his exiles on the island of Elba, regained the crown of emperor, and then went down to eventual defeat at the battle of Waterloo. In 1933, in the halls of the Great Depression, Franklin Delano Roosevelt used his first 100 days in office to launch an array of emergency legislation that reshaped the American economy and created the New Deal—in the process drawing comparisons to the fire-eating Caesar. Since then, it's been a ritual to judge presidents on their first 100 days—the period when most major policies are pushed through the White House, with a new president enjoying public support and still far enough away from congressional mid-term elections that he can get the tough things done.

George W. Bush's first 100 days appeared competent, if modest: he launched initiatives to allow faith-based groups to access government money for social programs, abandoned the Kyoto Protocol, initiated an energy task force, and began the push for education reform and tax cuts. Bill Clinton's first 100 days were rockier: he succeeded in pushing through Congress a massive budget in record time but became trapped in controversies over cabinet appointments, gaps in the military, and the ill-fated health care reform bill by his wife.

But there has not been a first 100 days quite like Barack Obama's since FDR—whose example Obama has purposefully studied. Given the financial and economic crisis he faced, it was unusual Obama would put his ambitious global program on hold to deal with the economy. He did the opposite. Rather than focus, he multi-tasked. Rather than cautiously, he thought big. Obama has not kept pace with FDR's cascade of 149 pieces of legislation made into law or numerous executive actions, but his campaign promise of "change" is being felt across a variety of policy areas, causing alarm in Republican circles about the transformation of entire sectors of the economy.

When two weeks of talking often, the



OBAMA'S INITIAL REFORMS are already overhauling the American economy, health care, military policy and the environment

President had pushed through Congress a \$1,400-billion stimulus package. He then offered a US\$4.1 trillion budget plan for fiscal year 2010 that lays the groundwork for universal health care and sets for a climate change policy that would reduce carbon emissions and begin moving the nation away from carbon-based fossil energy to renewables. His military policy dramatically shifted the focus from Iraq to Afghanistan and Pakistan. Obama moved quickly on other issues: licensing rules on federal funding for stem cell research, restoring funding for overseas groups that offer abortion services, and night-vision environmental legislation. His foreign policy is a work in progress, but it has



included overtures to Iran and a thawing of relations with Cuba and Venezuela

been in other areas, too. "Change" has been grand—and has in fact shown a large degree of continuity with Bush. In the controversy and area of defense policy, Obama did require the CIA to strictly obey tort laws, and shut down their secret prisons while ordering the detention centers at Guantanamo Bay, Cuba, closed (that goal remains a work in progress). But while those moves appeared to be dramatic breaks from Bush's policy, the Obama administration has also pushed hard to maintain the power to hold sensitive requests without court oversight at Guantanamo Bay in Afghanistan, and to let the Bush legal team's arguments that Obama has no jurisdiction to hear habeas corpus lawsuits by detainees who are flown there instead of to Guantanamo. Criticism such as Obama raised the closing of

Guantanamo is more symbolic than substantive. Meanwhile, a federal judge ruled this month that detainees captured in third countries, away from the battlefield of Afghanistan (in this case, two Yemenis and a Tunisian), and flown to Bagram (where they have been held for six years without lawyers), have the same rights as people flown to Guantanamo. The administration is appealing the case.

And while Obama has taken some steps to improve government transparency, he is fighting to protect some areas of secrecy. For example, his lawyers are fighting strenuously to shut down a lawsuit over Bush's policy of withholding U.S. citizens without warrants—recycling Bush's arguments to the courts from the lawsuit should he throw out because it would violate state secrets.

The Obama administration has also said that they would continue the extraordinary rendition program that sometimes has the CIA delivering a detainee to a third country without extradition proceedings. Officials say they will seek the same kind of diplomatic assurance that the Bush administration obtained: that a detainee would not be tortured—which critics contend was insufficient. The administration counters that it is conducting a comprehensive review of all detainee policies that it has inherited, and expects to complete the review this summer. In the meantime, officials say, it would be unwise to change the program until the administration has determined what the new policy should be.

Obama has also continued Bush's practice of issuing so-called signing statements increasing the executive branch's role that does not need to obey sections of new laws that he says are constitutionally infirm on his own power. Among other things, Bush had used such a device to challenge a strongly worded statute bar Obama from using the tactics on less controversial laws, but some critics contend that the constitution only gives presidential power to veto an entire bill if he deems it wrong.

On the question of torture, Obama appears to be trying to strike a middle ground. He has declined to be stopping such practices, and took the extraordinary step of releasing a memo that dined the Bush administration's sometimes chilling legal analysis of when techniques of physical and psychological abuse are permissible. On the other hand, Obama has said he will not hold accountable any interrogators who relied on Bush-era legal analysis in conducting interrogations. He has initially rejected calls for the prosecution of policy makers involved in the program, on Tuesday he did say that such a decision would be considered by his attorney



Obama has made diplomatic overtures to Iran, Cuba and Venezuela, but he's vowed to retain such policies as extraordinary rendition

general, Eric Holder. But Obama said his preference is to "look forward, not back." Critics have already responded: "It is one of the deepest disappointments of this administration that it appears unwilling to uphold the law where crimes have been committed by former officials," said the Center for Constitutional Rights, a New York-based group that has brought several lawsuits on behalf of detainees. And the UN special rapporteur on torture, Manfred Nowak, has gone so far as to say that Obama's failure to investigate and prosecute officials for the American torture program violates international law. "The United States, like all other states that are part of the UN convention against torture, is committed to conducting criminal investigations of torture and to bringing all persons against whom there is reasonable cause to court," Nowak told the Austrian daily *Der Standard*.

On the crucial issues of the economy, the new administration has also shown some

continuity with Bush policies. Obama and his treasury secretary, Timothy Geithner, followed in the footsteps of Bush's secretary Henry Paulson in their bail-out of the financial sector—an approach that liberal economists have criticized as imposing too much risk, and not enough reward, as taxpayers. Some on the left have called for nationalization of banks, a step Obama considers too risky. Meanwhile, critics complain that the administration is not doing enough to address the problems of bankers who have pocketed bonuses but are not coming forth for customers and homeowners who face rising credit card interest rates and foreclosures. Elizabeth Warren, a Harvard professor chairing an independent oversight panel of the bailout, told Geithner at an oversight hearing on Tuesday, "People are angry because they are paying for programs that haven't been fully explained and don't have no apparent benefit for their families' economy as a whole, but that cost to leave enough cash in the system for levels benefits and golf courses. None of this came free."

The financial bailout programs have also

been criticized as too secretive. "In that regard, President Obama has made government transparency a priority," said Tim Fritsch, president of Judicial Watch, a government watchdog group that focuses for the disclosure of government records. "Of course, he has hundreds of priorities these days. In practice, that has been another matter. In particular, they are withholding information concerning the expenditures of billions of dollars in bailout funds, the details of which continue to be withheld from the American people."

In the end, the economy remains the most pressing issue for most Americans and the number one priority by which Obama's presidency will be judged. The President said recently he was "glittering" of hope in the economy, but with rising gas prices and mounting job losses, those glimmers remain faint indeed. Americans and their President can only hope the economy will improve in the next 100 days. Until it does, there is no riding out a Waterloo. ■



ENGLAND, HOW POTHOLES CAN BE USEFUL
The village council in Newstead has decided not to report the emergence of spring potholes to the county roads officials for repairs. In its report newsletter to parishioners, the council urged people to think outside the box. As a consequence, potholes will no longer be filled and are to be deemed "benefit" driving devices to slow traffic. Residents have angrily responded that the concept is crackpot.

Why are we setting pirates free?

BY PHILIPPE CORIER • Late Saturday, a Canadian warship chasing a ship ransomed off through the Gulf of Aden crossed paths with Somali pirates attacking a Norwegian oil tanker. After a seven-hour nighttime chase, which included warning shots fired at the pirates' ship, the crew of the HMCS Whaplog caught up with the pirates, seized a single rocket-propelled grenade from their vessel, and took seven of them prisoner. But there was an anti-climactic end to the Canadian sailors' hard-won victory: they were told to send the pirates home, releasing three secondarily.

Such incidents are becoming more common as new national authorities have more success in intercepting Somali attacks, and that's raising a difficult question: if pirates are captured on the high seas, when does the country that captures them have the right to bring them to trial?

So far, there's no clear answer. Sometimes pirates are held for trial, and sometimes they are released. For instance, earlier in the same day that the Canadian navy captured its quarry, Dutch troops captured nine seafaring thugs in the same area who had been holding 20 Yemenis hostage. As with the Canadian capture, the pirates interrupted by the Dutch were let go almost immediately.

But in an earlier incident, the U.S. Navy captured a Somali teenager believed to have been involved in the hijacking of a U.S. flagged ship on the Indian Ocean, and they didn't let him go. Instead, American authorities are pressing ahead with a criminal case. Although Abdullahi in Miami arrived in New York City earlier last week to face what are believed to be the first piracy charges filed in the U.S. on such a conviction.

Some say the key determining factor is whether a country's navy is declaring its own claims, or the claims of another country. In both the Canadian and Dutch incidents, authorities claimed they couldn't detain and charge the pirates because their vessels were defending ships from other countries. In the U.S. case, it was American protection of American ships.

But Michael Byers, a professor of global politics and international law at the University of British Columbia, says that who's protecting whom may be a side issue. He says the UN Convention on the Law of the Sea and a UN Security Council resolution adopted last June provide simple legal author-

ity for arresting pirates, as either when they're attacking, Byers suspects that some Western nations have been reluctant to charge pirates as because it's illegal, but because "letting a dozen Somali teenagers back to Canada for prosecution would not actually address the root cause of the problem." In fact, he argues that NATO's decision to put the pirates "back into operation by releasing them" may itself constitute international legal principles. "The more interesting question," he says, "is whether we have the authority to release."

Those questions will have to be resolved soon, as pressure is mounting from the U.S. and other countries to put an end to the catch-and-release approach. In the Netherlands, there is a growing acknowledgment that releasing the captured pirates so quickly was a mistake. The country's justice minister, Jack de Vries, conceded that the Netherlands should have considered Dutch prosecutors before releasing their captives, and in a joint statement with U.S. Secretary of State Hillary Rodham Clinton on Monday, Dutch Foreign Minister Marijn Van Rossum said, "It is essential that those who are guilty of piracy will be prosecuted and not set free."



THE U.S. is arresting pirates, but Canada is cutting them loose.

Clinton says that releasing captured pirates "sends the wrong signal." She blames NATO for the confusion, saying the alliance had sent peacekeeping troops with the proper authority to turn anyone over for criminal prosecution. Both Clinton and Verhagen have pledged to raise the issue with NATO commanders in the near future, which may result in a change in policy.

Until then, however, pirates can expect to keep attacking ships, safe in the knowledge that even if they're caught, they will likely soon be set free. ■

Apartheid lawsuit gets a green light



FORD, GM allegedly sold vehicles used by the apartheid regime

BY RACHEL NEWBESON • A New York judge has given the green light to sue multinational such as Ford and General Motors for their alleged role in the segregation, torture and killing of blacks in South Africa.

Class action suits have been cleared to proceed against Ford, GM and Daimler for allegedly "aiding and abetting" torture and extrajudicial killing by supplying military vehicles used in the persecution of blacks during South Africa's apartheid regime. IBM faces similar charges for allegedly providing computers for the surveillance of rebels, and Germany-based defense giant Rheinmetall may face a suit for its alleged role in arms dealing. "One who substantially assists a violator of the law of nations is equally liable if he desires the crime to occur or if he knows it will occur and merely does not care," wrote Judge John Scheindlin in her April 8 ruling.

The battle for reparations has been a long one for the plaintiffs, who first filed in 2001. Due in part to warnings from the U.S. and South Africa about negative foreign policy implications, the cases were initially thrown out. (The Court of Appeals partially overruled the ruling in 2009.) But Scheindlin, who narrowed the scope of claims and the number of companies named, calls the international relations laws "speculative at best."

The corporations involved have so far been largely silent on the ruling. However, in an e-mail, a GM spokesman told *McGraw-Hill* that his company "vehemently opposed apartheid" and has "asked the court to reconsider key parts of its ruling or, in the alternative, to certify these claims for appeal."

But Michael Hausfeld, attorney for the plaintiffs, is optimistic, saying the ruling throws open the doors to similar cases worldwide. "It sets a new standard with regard to obligations concerning fundamental human rights abuses on a global level," he says. ■

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WESTJET'S PLAN TO CRUSH AIR CANADA

The rivalry is intense and it's personal. Now WestJet sees a chance to become the country's new dominant airline. BY JASON KIRBY

On March 15, WestJet announced a prosecution that tapped into the connectivity crisis struggling consumers feel today. Tickets bought over the ensuing week came with an innovative price guarantee. If the same seat later went on sale, customers could get a credit for the difference. It was a remarkable provision in an industry that normally treats its guests, driving customers mad, and it was made all the more remarkable by its timing. A day earlier, Air Canada had fired its CEO and the national carrier would soon have to file for bankruptcy protection for the second

time in less than five years. WestJet had won't just parking. It was a message, part of a long-term strategy that's quickly coming into focus. It said, more or less: "WestJet is out to crush Air Canada."

The price guarantee was just one facet of an expanding battlefield between these two competitors, whose rivalry is as fierce as it is ferocious. WestJet has already used a large swath of the Canadian airline business since its launch 13 years ago. By 2010, WestJet aims to control as much as half of the domestic market, up from 36 per cent today. Recently, it has taken aim at Air Canada's lucrative transborder and international business, sign-

ing deals with Southwest, Air France and others to sell international tickets under its own name.

New comes the culmination of the plan, a new campaign that emphasizes value and service, and aims at squarely at the yawning gap between the two companies' reputations. The full details of WestJet's latest pitch weren't finalized when Maclean's spoke with the company last week, and so far there's been no word on the right up and the last minute. For a planned announcement on April 23, Bill Bell, Chairman, head of Client Experience and Marketing, provided a sneak peek at some of the highlights behind WestJet's aggressive strategy. An upcoming advertising blitz will spell out roughly 30 promises to consumers and the consequences to the airline if it fails to meet them. Many are services WestJet has quietly offered all along, such as a promise never to

overbook flights. Others are new, ambitious, and reveal the lengths the company is willing to go to fix damage on its rival. "You won't hear WestJet exact itself into it in such stark terms. But the company is taking this content to force Air Canada into a corner from which it will be nearly impossible to escape."

Consider WestJet's heady maneuvers around cancellations. The company will now let customers cancel or change flights up to 24 hours after booking, complete with full refunds, at no extra charge. In an industry that lives and dies by confirmed bookings, allowing passengers the chance to back out is an astonishing display of generosity. WestJet will also make the theory true of passengers being trapped on delayed flights. Last Christmas, Air Canada faced scores after a snowstorm led to massive cancellations and delays, with some customers left waiting on the tarmac for hours. From now on, if a WestJet flight is at the terminal for more than 30 minutes and no departure is imminent, passengers will be given the option of getting off and waiting in the lounge until the flight is ready to depart. "We're putting these promises and consequences out there in black and white for folks to see," says Cunningham. "We're actively taking your service to another level as opposed to saying it."

Cynics will deride the latest move by the airline as marketing gimmicks, but that assessment overlooks one salient fact: its working. Cunningham says the price guarantee sparked WestJet's best-selling week of the year so far. What's not clear yet is how many of those customers were riders from Air Canada. In June, after the guarantee period

expires, the company will decide whether to make it permanent. Either way, it has already served its purpose. "That price guarantee was a profound statement of strength on their part," says Vaughan Canale, an analyst at AirFuelSource in Washington.

Later fall, when it became obvious the economy was in serious trouble, WestJet executives gathered in a series of secret meetings to chart a new course. Cunningham and others posed over 300 potential actions. They convinced the company's board of directors, made up of executives from fields as diverse as banking and energy. And they did something that many companies would never consider: they met with employees to seek out their opinions. Every company pays lip service to the idea that their people are their strength. But at WestJet, employees are also among the company's biggest owners thanks to generous stock purchase plans. Workers are potentially the most crucial weapon in WestJet's customer service arsenal, and they're becoming the biggest potential beneficiaries of the company's success.

Two totally different paths emerged, each with its own pros and cons, but also huge risks. The sure thing would be to hunker down, they observed. "WestJet could simply conserve its cash and ride out the storm, confident its strong balance sheet would see it through to the end. This was even told in our game of following the herd by changing for plane reservations and cutting back on snacks. But the ramifications of this duck-and-cover

approach were too great to ignore. WestJet was built on customer service. If it bowed away it would its ability to widespread discontent over its industry as a whole. The airline made could, friendly service as calling card—first-time passengers were often surprised to hear flight attendants tell jokes over the intercom—and it decided. To turn strategy now would risk undermining everything it had built.

Even harder to ignore, though, was the enormous opportunity this economic downturn. If WestJet was struggling, it could be sure Air Canada would suffer even more. In short, this wasn't a time to be cautiously conservative, it was a chance for WestJet to step on its rival's wounds. In the end, at a lengthy board meeting on Nov. 3, the company opted to back with the headlights. "We looked at all those risks and chose options, but in the end of the day our core mission gave us the flexibility to take the risk we're taking," says Cunningham. While other airlines are concerned with just surviving this downturn, WestJet has chosen its aggressive path to dominate Canada's skies. "We looked at 2009 as a chance for the year we had to make a bet for the longer term."

This was no small leap of faith. The recession has crippled the travel sector. Companies have drastically cut back on business trips, and restaurants are seeing their profits. The latter national Air Transport Association recently warned the industry faces a tougher market than after 9/11. The IATA estimates airlines will lose \$24.7 billion this year, driving under

some struggling companies. Last week, transportation and charter carrier Canpar's Vista tour became the latest casualty in Canada's bankruptcy sales, with Canpar's Vista tour shut down after nearly 40 years in operation, partly because of competition from competitors like WestJet, which jumped into the packaged vacation market in 2006.

It's looking increasingly likely that Air Canada could be among the victims before this latest bout of trouble takes Air Canada as in dire straits. Last year, the company lost \$1 billion on revenue of \$11 billion. A top through bankruptcy protection earlier in the decade led it to fix the underlying problems facing the airline. Most of the changes amounted to financial gerrymandering, shifting assets around and spinning off subsidiaries. The fact is, Air Canada has done nearly everything to reorganize its current firm, says Cordle at Airtel Forecasts, who recently completed an analysis of Air Canada for a large U.S. institutional investor. (Last year, WestJet's employee association had to sue the company.) Air Canada's overall costs, when measured against available assets, are 16 per cent higher than at WestJet. For one thing, Air Canada's employee pension plans suffer from a \$3.3-billion deficit. Cordle estimates the company will need to come up with at least \$100 million to close the pension funding gap this year alone. In recent years Air Canada has dropped some of employee medical benefits, bringing them more in line with WestJet's, but when the staggering costs to plug the pension deficit are added to the mix, the average full-time Air Canada employee cost the company nearly \$234,000. By comparison, the average employee cost at WestJet stands just \$75,700, instead of a premium plus. WestJet's unionized employees can put 20 per cent of their paycheques (90 cents per purchase plan, which the company matches. The plan deducts the amount of cash it pays out, making the gap with Air Canada even wider. At the same time, Air Canada's labour contracts have been fashioned into massive documents that dictate many facets of how the business is run, such as scheduling, pricing and even when kinds of aircraft it can buy. According to Cordle, Air Canada's contract with its largest route turnaround (66 gates) (The company did not reply to a request for comment.) WestJet's policies against unionism is a part of its success.

With no more declining and cost-cutting, analysts believe Air Canada is on the verge of heading an agreement with credit and processing companies that requires it to maintain a minimum of \$900-million in assets. The company had \$1 billion in cash as of the fourth quarter of 2008. If cash levels drop

too far, credit companies could withhold any loans. "Air Canada has no access to any source," says Cordle. "In order to keep enough cash to pay these bills, they have to choose how to run the existing and fly existing and existing market. They're in a downward death spiral that's very hard to pull out of."

Here's what's wrong with the stock of the stock, and the arrival of CIBC Bankruptcy on CIBC last month, in early five years after he helped plan the company out of bankruptcy protection. Just how much should Air Canada cut in order to remain viable? Jacques

here's what's wrong with the stock of the stock, and the arrival of CIBC Bankruptcy on CIBC last month, in early five years after he helped plan the company out of bankruptcy protection. Just how much should Air Canada cut in order to remain viable? Jacques

Air Canada needs to cut half its routes and 6,000 jobs. 'Bankruptcy is inevitable,' one analyst says.



CIBC Bankruptcy dismisses bankruptcy, and says he'll force a 'just do it' culture.

Rivest, an analyst with Research Capital, points a grim picture. Air Canada should scrap half its fleet of 121 aircraft, cut half its routes and get rid of 6,000 jobs. "Bankruptcy is inevitable," Rivest said. "It's better to be proactive and initiate it so you can be in control of the restructuring."

Air Canada declined comment for this story. The company referred Maclean's to an interview between its head of communications and Rivest, posted on YouTube. Rivest said he was called to chart a course into bankruptcy protection. He said his goal was to fix a "just do it" culture, and had "no more" solutions to the company's problems. As for shrinking the airline by half, he said that's "absolutely, categorically not what we want to do," adding the strategy of cutting to profitability "isn't in the cards."

Even so, most analysts say the company has little choice but to do so, and that it will take a long time to reorganize and start to stand on its own. Cordle has seen it time and again in older U.S. airlines that

of enthusiasm by Air Canada's 23,000 employees, if 10 per cent of them drop their ties as a little less, it has a major top and bottom line impact," he says. The situation is likely to get worse. The unions representing Air Canada mechanics and pilots have both vowed to "make the loss in 2010." That could be worse for Air Canada, or better for WestJet.

Not that WestJet has avoided our balance. In February the company paid its fourth quarter losses of \$14 million, an increase of \$10 million from last year, the airline's last full year of operation, a sign of lower losses in terms. Southwest Airlines, the U.S. discount carrier that served as the model for WestJet, has posted its last quarterly loss since 1991. Likewise, analysts say WestJet could also slip into the red. Just after years of conservative profit, after the business' strength and flexibility to endure a few quarters of trouble, something Air Can-

ada does not. Despite the harsh downturn, WestJet plans to keep growing. This fall, WestJet takes possession of seven new planes, followed by another 14 over the next four years, bringing its total fleet of Boeing 737s to 121. At WestJet's fleet of new aircraft grows, it will enjoy economies of scale and savings over Air Canada. New planes, like new cars, come with warranties, meaning WestJet won't have to pay as much for repairs. Cordle estimates Air Canada already pays 230 per cent more in maintenance costs than its western rival.



themselves maintain with WestJet's younger workforce. Next to WestJet's hangar at the Calgary airport, construction crews are putting the finishing touches on a new 100-million-dollar office building—paid for, it's worth a song, with cash, hard cash—to house its growing workforce. WestJet also has agreements to take over neighbouring property when space is needed for future buildings. Many of those workers will be at every level pay. Yes, as Air Canada thinks, younger, lower-paid workers will be the first to go. "The more WestJet grows, the lower their cost structure becomes and the lower the fares they can offer," says Cordle. "It's such a competitive difference that WestJet is effectively

driving Air Canada into bankruptcy." Of course, even bankruptcy wouldn't end the fight. Instead, it could mean a fight. David Newman, an analyst at National Bank Financial, says Air Canada would likely, in a best-case, launch a price war to defend its market share. And even if WestJet survives Air Canada, that will present its own challenges. How long before Canadiana begins to grumble about WestJet's dominance? And how will it continue to attract elite and other passengers? "WestJet would perform better than Air Canada in the market," Newman says. "Wouldn't



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EMPLOYEE of the WEEK

SURGICAL REMOVAL. HOW NOT TO LAY OFF NURSES
Surgical hasn't been good, so when a Wisconsin health care company announced layoffs last week, it left to one of its managers at Deacon Hospital to inform a nurse she was being laid off. It didn't seem to matter that she was right in the middle of ending a surgical procedure. The movie was a violation of regulations on laying off surgery. A company spokesman called the movie "a waste of time" and "an error in judgment."

ECONOWATCH

A WEEKLY SCORECARD ON THE STATE OF THE ECONOMY IN NORTH AMERICA AND BEYOND

LEADING INTELLIGENCE

Is your stock market investment still paying off? The Dow Jones Industrial Average is a leading indicator of economic growth. In other words, the market will only strongly advance six to eight months before the economy turns around. So the recent surge in stocks (combined with some moderate improvement in other economic data) should herald significantly better days ahead, right? Well...um...maybe.

"This is the very early stage of a new bull market, rather than a lot of other people who are thinking it's a bear market right now. Economic data is starting to get less bad." —Anthony Bolton

"In a little over a month, much has changed. As the very sources from the balance sheet to the corporate potential for [earnings], the bull market will also extend from its narrow base to encompass other industries where capacity has been sufficiently reduced to allow pricing power to emerge through." —Craig Gidley

"This is the start of a great bull run." —Drew Ginnane



"History shows that one of the great policy dangers, in the face of a severe economic slump, is premature optimism. So heeding advice, to the public and policy makers alike, don't count your recoveries before they're hatched." —Paul Krugman

"It's not getting better, it's only getting worse more slowly. And the same chronic forces that missed the upcoming flight train at the first place are now busy delivering it at the end. They were wrong before and they are wrong now." —Larry Kudlow

"Investors are talking of 'green shoots' of recovery. As a result, stock markets have started to rally. This consensus optimism is, I believe, not supported by the facts. Moreover, growth next year will be weak...and unemployment high...[but] it will still feel like a recession." —Natalie Kaufman



THE ECONOGAUGE

Our weekly estimate of the prevailing mood among investors and consumers



THE WEEK AHEAD

THURSDAY, APRIL 28 Scotiabank will release Canadian retail sales for the month of February, with a modest gain expected. • The Bank of Canada will present its monetary policy report, which should shed light on the surprise decision to leave rates unchanged until 2009. • U.S. will report existing home sales for March. **FRIDAY, APRIL 29** U.S. durable goods orders for March will be released. February produced a surprising gain, but that looks like an aberration given the state of manufacturing industries.

THE GOOD NEWS

One man's junk ...

Last week, marked the sixteenth week of gains on North American stock markets, but the more hopeful signs were happening closer to home. After a year-long drought in initial public offerings, the U.S. market saw two successful new stock sales last week. Even more significant, the market for high-yield junk bonds seems to be coming back to life, at last.



Goldman Sachs' recent analysis with U.S. \$1 billion profits in the first quarter—pretty impressive for a brokerage that has to be in need of revenue a few months ago. But on other dimensions, that profit was largely due to an accounting quirk. Goldman charged to fiscal year and not "profit" didn't include results for the month of December. In that eighth month, the first lost U.S. \$3 billion before taxes. Are investors concerned? Nope. Goldman's stock has almost doubled this year.

That's the thing about irrationality: it can cut both ways. NYD Group missed its latest consumer sentiment survey last week and found that most Americans remain convinced the economy is in the toilet, but their spending plans are picking back up. As NYD and consumers appear to have "reached their cost-cutting limit," in other words, we're getting tragedy disguised as triumph.

We might've sensed ourselves a bit of pain if we were alone financially because a few years ago, but now it's cut a bit more to be living that problem. Sometimes the economy relies upon another's suspension of financial prudence. It requires leaps of faith. If all consumers wait for definitive signs of recovery before venturing out to replenish purchases, then the economy will never recover. But because self-fidelling, and prudence self-defeating. So here's to better financial literacy and an end to reckless spending. Just please don't let the recovery be misleading. ■

Jobs, yes, jobs!

It's been awhile since the job market produced any joy, but new job gains in the U.S. hit 50,000 for the first time in a year, and the lowest since January.

THE BAD NEWS

Zeroing in on 0%

The bank of Canada on its bonds market went down to 0.25 per cent—and still time to look for a recovery, that is, "to get the economy back on track." The bank also took the opportunity of coming to lower rates on the level of next year. It might be the right move, but it's a desperate measure for desperate times.



Housing's hoarse

There's no doubt about it, the housing market is in a state of crisis. In March, new housing starts in the U.S. plunged to the second-lowest pace in recorded—41 per cent below their pace of a year ago. Meanwhile, foreclosures surged in the first quarter to 101,000, despite mortgage. While there's nothing to keep people from losing their homes

Construction construction in Canada slipped in the first quarter of this year—the first decline in almost five years. There are many reasons for this, but the fact that this crisis will not be over until the market price and the construction industry. If they're right, then this isn't good.

Factory floor fall

The latest report on factory output (for February) showed slight improvement, but there are more clouds on the horizon. A new survey of 61 large manufacturers showed activity plunged again last month. What's more, 69 per cent expect to cut staff, hours, capital spending and/or curtail this year. And the market is not even close to being in a state of recovery.



STEVE MALACHUK

Don Iannacelli, the chairman of the U.S. Federal Reserve, and the man charged with retooling this world's largest economy, thinks we all need to be smarter about our finances. "As the global economy continues to experience extraordinary turbulence, the need has never been greater for investors that help consumers learn to manage their money wisely," he told a conference on financial literacy this week. Big things should be careful what they wish for.

In recent weeks, world stock markets have been battered by a rebound in confidence, and that confidence appears to be based on...well...not much, really. Earnings among America's big firms have been better than expected, but jobs are still being reported at a slowing pace. Income prices continue to decline and blue-chip producers remain dead in the water and misery.

Even the earnings success on Wall Street ought to be taken with a grain of salt. Goldman Sachs' recent analysis with U.S. \$1 billion profits in the first quarter—pretty impressive for a brokerage that has to be in need of revenue a few months ago. But on other dimensions, that profit was largely due to an accounting quirk. Goldman charged to fiscal year and not "profit" didn't include results for the month of December. In that eighth month, the first lost U.S. \$3 billion before taxes. Are investors concerned? Nope. Goldman's stock has almost doubled this year.

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OVERDRAWN by Jason Logan



LAW SOCIETIES UNDER FIRE

SPECIAL REPORT: Critics say there's a problem with how lawyers are regulated

BY RAYE GANNAN • Core MacPhail doesn't dislike lawyers. She has close friends who are lawyers, family members, too. MacPhail can offer the law to be an honorable profession. Which helps explain why her dealings with the Law Society of Upper Canada (LSUC) left her shaken.

In fact, MacPhail was confused as to what she felt right weeks following child neglect. The article, who lives in London, Ont., asked her husband to leave her in one case, but due to a misapprehension, was at first denied the correct interpretation, and provided her with services including a personal care worker. MacPhail soon filed a letter of complaint to the local BPP, and copied it to the courts days later, the clerkly assistant got a look on her door. It was the one center's "director of quality and control and review delivery," who questioned her and her son about the letter, she says. The meeting left her feeling uneasy. Weeks later, her son typed the case against employee's negligence. Google and discovered he was a lawyer, not a social worker, as they had believed. On Dec. 4, 2006, MacPhail filed a complaint with the LSUC, which regulates Ontario's lawyers and paralegals. "I decided not to choose who he was a lawyer," she wrote in her letter. "I trust you will take action."

MacPhail, who had hoped for an apology, figured it would be an open-and-shut case. In fact, the process dragged on for almost two years. After complaint was first dismissed when the requested an independent review, it bounced back to the law society instead, where it was rejected again. MacPhail appealed to a higher panel, the complaints resolution commissioner, who is funded by the law society to conduct impartial reviews of their investigations. Then she learned the commissioner had a conflict of interest and had to withdraw. When her complaint was finally reviewed, the commissioner's delegates found in MacPhail's favor, asking the law society to reconsider. It did—and rejected her complaint a third and final time, deciding the man was not working in his capacity as a lawyer at the time of the error. (For confidentiality reasons, the LSUC declined comment on the case.)

MacPhail's story is just one small example

of what critics call a fundamental problem with the way the Canadian legal profession is regulated. Law societies, the regulatory bodies to which every practicing lawyer must belong, have the authority to investigate and discipline their own members. But if you feel you've been harassed by a lawyer, complaining to his or her membership group can quickly undermine faith in the system. A bright, vivacious woman, MacPhail becomes visibly deflated after discussing her case. "It makes you feel worse, sometimes," she says. "They're all self-pals."

In fact, law societies, particularly MacPhail's, have become an impediment for change. In England and Australia, for example, law societies are having some powers stripped away, and

of England and Wales (which represent barristers and solicitors, respectively), no longer have their role. The Legal Services Act created an independent body, chaired by a non-lawyer, to watch over them. The complaints process has also been revamped. Instead of seeking redress from the law society or bar council, members of the public will soon be able to go directly to the independent Office for Legal Complaints (OLC). (Having a separate body perform this function is crucial to bolster public confidence, says Mary Kerecinski, director for citizenship at Nottingham Law School and one of the OLC's recently appointed members.)

England isn't the first to move away from pure lawyer self-regulation. In Australia,



independent bodies have sprung up to deal with complaints. Among the Commonwealth countries, Canada's system of lawyer discipline is fast becoming the exception instead of the rule. "People think it's Ontario doing it," says MacPhail. "It's not the legal profession [handling complaints] itself," says Steve Mark, legal services commissioner for Australia's largest state, New South Wales.

In England and Wales, a new law came into effect in 2007 aimed at taking power away from lawyers and putting it in consumers' hands. The profession's self-regulating bodies, like the Bar Council and Law Society

most states have an independent legal services commissioner to handle complaints. Steve Mark has been in the role in New South Wales since 1994. His office has proved to be successful. It's set up in a model elsewhere, including in England. "As the sole point of call" for complaints, he can decide whether to handle them in his office (about three-quarters of complaints say no), or refer them to the law society or the New South Wales Bar Association. "As an independent body, I can advocate for the consumer and not seem to have a vested interest," Mark says. And when he chooses to discipline a com-

plaintiff, he adds, "it's not assumed I'm trying to protect the profession."

In both England and Australia, it wasn't just bad optics that brought about change. Law societies' track records at investigating complaints were notoriously awful. Prior to its fall, Zoltan Maros, a non-lawyer who serves as legal services ombudsman and legal services complaints commissioner for England and Wales, issued a series of scathing reports criticizing the law society's complaint handling staff for being slow, poorly trained and providing bad service. When it failed to submit adequate plans to improve, she imposed a hefty fine. "It wasn't just a problem of perception, they were performing badly," Maros says. In the Australian insti-

tory to assess that? Unlike Australia or England, Canada has no independent ombudsman, members of the public must appeal to a law society-funded commissioner. And while the Law Society of England and Wales was criticized for its poor complaint handling for every one of its members, none of the Law Society of Upper Canada, the largest in the country, doesn't have a much better record. In 2007, the LSUC had 36,879 lawyer members, and got 6,537 complaints, about roughly equal to its English counterpart.

Philip Skypin is a former Bay Street lawyer and author of *Lawyer Gone Bad: Money, Sex and Madness in Canada's Legal Profession*. He calls the disciplinary record of our law societies a "pothole" that "comes from province to province, and it's one from one case to another. Think of the idea of law societies doing this planning on their own members' contrary to the basic principles of justice," he says. Beyond that, "they've done a bad job."

Take the case of former Law Society of Upper Canada chairman George Hunter, which Skypin discusses in his book. In 2004, Hunter sat on a law society panel that for the first time disbarred a lawyer for sexually harassing clients (the disbarment was later overturned on appeal). In 2007, after Hunter admitted he himself had engaged in a relationship with a client—one of three sexual affairs he'd been juggling—five provinces and one federal territory found him not guilty on the panel, but the one on the opposite end.

Hunter's former client was not at the hearing, but his impact statement told of depression, anxiety and diagnosed post-traumatic stress disorder. The *Lawyer Weekly* reported Hunter's closing statement during the panel with a stack of 27 "glowing references" on his behalf, many of them penned by prominent members (including one of the law society's governing board). "Speculation surrounded on the way of teachers giving three false affidavits to make out the mildest possible sentence

to former brother guilty of conflict of interest," the "lawyer" newspaper reports. Hunter was suspended from practice for 60 days.

Whether it creates a conflict of interest when law societies investigate their members "is open to question," says Paul Dine, vice chair of the Canadian Bar Association's national ethics and professional issues committee, and associate professor at the University of the Pacific's McGeorge School of Law. But, he adds, "a perceived conflict of interest is not enough. In the public mind, it is not enough." More dangerously, that perception can put people off from complaining at all. In British surveys, 81 per cent of people who used a solicitor in the previous three years said they'd rather complain to an independent body if it had to be to another lawyer, 55 per cent wouldn't complain at all.

It's unfortunate, says Kerecinski, the legal services ombudsman for Ontario and Wales, because she'd like to see public confidence in the system. "We're talking about the rule of law. We're talking about access to justice," says Kerecinski, who supports independent complaints resolution. "It's not 'lawyer knows best,' it's a service that's being provided," she says. "We've got to make sure it's of the highest standard, because it affects the public in such a way."

Yet, unlike in Australia or England, the Canadian public—and its elected officials—has been surprisingly mute on the subject of legal reform. MacPhail can't help but wonder whether mere acceptance is part of our culture. "I can recall going to a movie once. The lights went out, but the movie didn't start. Everybody just sat there." After sitting quietly in the dark for several minutes, waiting in vain for the movie to begin, she says, "we finally get up and told someone."

With so many Canadians living in the dark, justice reform—or feeling that out of it—entirely change seems inevitable. Legal reform efforts were intended to empower the public, instead of lawyers. In England and Australia, "change came for good reasons," Skypin says. "These reasons exist here."

Before widespread reform can happen in Canada, though, Prince suggests that public confidence in our legal system is right now to try at all times low. "I think it will take one more scandal," he says. ■

Canada's system of lawyer discipline is fast becoming the exception instead of the rule

of Queensland, where lawyer self-regulation came to an end in 2004, legal ombudsman Jack Nimmo concluded the lawyers' complaint handling body was "having had a poor office hour" and forwarded complaints to the lawyer in question, the same the response back to the complainant.

Canada law societies don't have the same problems, says Stephen Reed, a Montreal lawyer and president of the Federation of Law Societies of Canada, an umbrella for the 14 provincial and territorial bodies (Quebec has two). "What happens government intervention is when you have a lack of rigor in regulating the profession and investigating complaints," he says. "That's not the case here." That, however, is up for debate. Canada hasn't been reformable to reform abroad, but "I've dropped it because lawyer self-regulation works here," says Alan Woolley, an associate professor with the University of Calgary's faculty of law. "There's been insufficient time



SEED OF A DISPUTED PLANTING JUDGE

Michigan family court judge Cheryl Matthews couldn't believe she was being asked to decide who got the dog in a divorce. Karen and Anthony Scott battled recently over the frozen semen from their failed fifth wife, Cyndy, Pomeroy and Regis. Hobbly hobbly, the couple managed to settle up the dog, but then the court decided to determine who got the dog. Matthews presented with the case, Matthews said. "Am I being Aski'd? Is this Canada's Canada?"

PHOTOGRAPHS BY PHOTOFEST/STEF

MAGAZINE MAY 4, 2008

FAST AND FURIOUS

Do street racing laws actually violate the Charter of Rights?

BY MICHAEL FRISCOLANTI • If anything else, Ontario's new "street racing" law has made for some stunning police blotter. There was that heavy-fisted firefighter who had his emergency vehicle impounded for seven days (he was out duty when North Bay exploded behind him at 70 km/h over the limit). And the driver exhibited in the same part of the province also lost his wheels for a week—so did the speeding new truck driver who came to impound the car. And then, of course, there was Antonio Tiberio, the 26-year-old who made headlines across the country last month when his Infiniti G37 was spotted tearing down a Tuscano highway at a whopping 150 km/h. His first words after being pulled over? "I'm sorry."

The Ontario Provincial Police certainly isn't apologizing. Or laughing. The force says the toughest new street racing penalties include fine, possible prison time for anyone caught driving more than 50 km/h over the limit—or doing so exactly what they were supposed to do now live. In 2008, the law's first full year in the books, fatalities on OPP-jurisdiction roads plummeted by almost one-third (from 451 to 322), and in the first three months of 2009 there was a 17-per-cent reduced deaths, a 38 per cent drop from the same period last year.

But 18 months and 11,000 charges after the law was first introduced, police and prosecutors are revving up for a legal showdown that threatens to quash some of cops' newfound powers—including the luxury of treating every excessive speeder like a hard-core street racer. One justice of the peace has already ruled that a key section of the law is unconstitutional, and if defence lawyers have their way, the province's highest court will have to weigh in on a question already being asked in traffic courts across Ontario: do just-in-case-for-speeders violate the Charter of Rights and Freedoms?

Adapted as *Supra* under 1007, Section 171 of Ontario's Highway Traffic Act was enacted to crack down on the fast and the furious. Anytime caught making or "stunting" (doing doughnuts in a parking lot, for example, or driving around town with a passenger in the trunk) will automatically lose his car and his licence for seven days if convicted, the penalties range from a minimum fine of \$2,000 to six months behind bars. At last count, 24 drivers have served at least one night in jail

because they thought they were Paul Tracy like the "90 over" provision—though widely supported by the public—preserves a constitutional compromise. Nobody is saying that a jail sentence isn't appropriate for a pair of reckless jabs weaving through traffic on their way to an imaginary finish line. But that out-of-control driving 70 km/h over the limit? Or a late night commuter who's rushing home? Their infractions—plain old speeding—is already covered by the Highway Traffic Act, and the maximum penalty isn't anywhere near prison. "At 50 km/h over the speed limit,



FATALITIES have dropped by one-third since Ontario's street racing laws came into effect.

you're a member of society and you're welcome to live amongst us," says Gary Parker, a paralegal who has represented dozens of drivers ticketed by the new law. "At 50 over, you're now a member worthy of jail. It makes absolutely no sense at all."

Simply put, speeding has always been considered an "absolute liability" offence. Once a person is clocked over the limit, there is basically no possible defence (unless he can prove the meter gun was defective). As a trade-off for such swift justice, the Charter guarantees that anyone who commits an absolute liability offence—i.e., he has no right to defend himself—can't be locked away. Yet

now, thanks to the new street driving legislation, a form of speeding is suddenly punishable with prison. "It is unconstitutional," says Brian Brackman, a lawyer who specializes in street racing cases. "You can't have an absolute liability offence co-exist with the potential for jail. That is settled in law."

Still, even among others, has tried to argue that point in court, hoping to have the "90 over" section scratched from the act. The courts have been unimpressed—and now Macdonald has learned that earlier this month, a man in Burlington who was clocked at 60 km/h over the limit had his charges stayed after a justice of the peace, Barbara Waugh, agreed with the constitutional challenge: "I am the first one to say," says Gary Lewis, the man's paralegal. "She ruled that speeding is

speeding, it is an absolute liability offence, and that the street driving law violates the Charter because now you can go to jail."

Though significant, the decision does not set a precedent. Fellow jBs are fast to follow Waugh's opinion or ignore it. However, two similar cases have already been appealed to a provincial judge, and at the legal arguments creep toward the country's highest courts, the roads may form the Ontario government to raise the chartered flag. "If you're using a highway as your own personal racetrack, that's criminal," Brackman says. "But if all you're doing is speeding, then you should be charged with speeding." ■



BANK THIEF CAUGHT MORE THAN JUST RED-HANDED
When robbing a bank, don't stuff the money down the front of your pants. David Duce of Houston, Texas, allegedly robbed a branch of the Wachovia bank, then packed the loot down the front of his trousers. But he didn't count on an exploding dry pack. These packs are used to bank money and meant to explode when disturbed, making the catch. Police caught David Duce, his crotch dyed scarlet and scolded with second-degree powder burns.

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taste

Gourmet
ice cubes

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How Thatcher
got a publisher

2.59

steyn

Porn and the
obituary

2.60

WHY ME?

In a stunning documentary, people struck by lightning search for meaning in a random act of cosmic selection

BY BRIAN D. JOHNSON

film

It takes unusual dedication for a filmmaker to allow her husband to risk serious brain-erasure in the name of art. But when director Jennifer Bachwald was shooting her documentary about lightning, *Act of God*, her husband, Nick de Pencier, served as director of photography. And part of his job entailed standing on the shoreline of their summer cottage on Georgian Bay during fierce thunderstorms, transmitting a camera on a mast tripod. "To get the good shot you have to expose your self," says de Pencier. "So you play the odds. It's an interesting mental game."

Sometimes Bachwald would be with him, and they decided that night not to be in the best interests of their two children, ages six and nine. "We'd say, 'Let's not look get killed,'" she recalls. "So I'd go back to the house. And Nick would put on a life jacket so we could find his body if he was knocked into the water and was floating." But the married director, her three-month-old son in tow, as Bachwald knew only too well. She goes on to tell the story of a girl who was struck while riding a pony down an English country lane. "All that was left of them was a pool of fat. They were completely incinerated."

Act of God tells the stories of people who have been transformed by split-second lightning strikes, and who then spend years trying to make sense of the experience. The film shows how their lives have been changed by the compulsive search for meaning in a random event. Its subjects range from writer Paul Auster, who as a young teenager saw a boy struck dead, to inspirational guru Donna Rattley, a former CIA assassin who claims he was redeemed by divine visitors after being shipped to the brink of death.

Preceding in the opening night gale at Toronto's Elgin Court Festival next week (April 30 to May 10), *Act of God* belongs to a new wave of documentaries that act not to investigate the unknowable, gales rising hard science and dry fact with metaphysical inquiry and poetic visuals. Errol Morris' (*The Thin Blue Line*, *The Fog of War*) pioneered the genre, which documentary purists first viewed with the suspicion of shocked folkies watching Dylan go electric. Now the genre is ubiquitous. Among the films at Elgin Court, some of the most mundane matters—from Great Lakes sewage treatment in *Waterside* to routine baseball in *Bleed Monday*—of *Sensory-Pier*—are poised with a cosmic charge of metaphysics.

Bachwald's previous film, the award-winning but *Manufactured Landscapes* (2007),

viewed a hilly landscape through Edward Barry's evocative photographs of industrial ruins. While it was more subtle than most neo-documentaries, it made the haunting beauty of its images (it carried a film) undercurrent of blame and guilt. With *Act of God*, once again Bachwald finds nature's beauty in environmental horror, but this film is the polar opposite of *Manufactured Landscapes*. It's about hunting, not hunting. Anyone who survives a lightning strike can't help asking, "Why me?"—or if the person next to him is struck dead, "Why not me?" But it's not so simple, and so true to blame—at least no one who is relatively recoverable.

"Human evil we can explain," says Bachwald, 45, a former philosophy and theology student. "Natural evil is something that's impossible to explain." Yet, even though being struck by lightning seems random, she adds, "It's impossible not to seem to meaning to it. It's incredible, because it's such a sign from the heavens."

In Mexico, Bachwald and de Pencier interviewed the mothers of five children who were struck dead one night in 2006 as they took part in a Catholic prayer ritual around a hill-top cross. One mother who lost her son says that the moment she heard the news she decided "the Lord chose him to be an angel, the Lord never makes mistakes."

ACT OF GOD: JENNIFER BACHWALD

A BORN FROM DEATH: SURVIVORS OF STRIKES SAY THEIR LIVES WERE TRANSFORMED BY THE EVENT

One of the main attraction points in the film *Brno* is that it's a film about a film. The former CIA chap, who had just gotten out of a mission in Nicaragua when lightning struck a plane he was taking. "It hit me in the side of my head, it went down my spine, welded the ribs of my shoes to the floor, and that was it, the end," he says. Brinkley remembers leaving his body, travelling down a tunnel into a bright light and meeting a dozen riders, divine beings. He says he was dead for 20 minutes, not properly paralyzed for 30 days, and disabled for two years. But he believes his near-death visions led him with a surge of inner passion that revived his generosity. Brinkley went on to create one of America's largest organizations of hospice volunteers in the dying industry.

Two of the lightning strike survivors featured in *Act of God* are writers whose work has been hit hard by the experience. Included Paul Auster, whose interview around the film *Leviathan* is on the DVD. Orhan Pamuk, who urged her to look him up—the two authors they both met on the jury of the Cannes film festival in 1999. Auster's writing is as fast as chance and coincidence, which he credits to his grandfather when he was a 14-year-old kid at a summer camp in New York state.

On impulse, a critic-like heist novel comes out of an ad hoc idea in the words they got lost, and trapped in a mysterious thunderstorm—"a storm ripped from the pages of the Bible," says Auster, who recounts an endless barrage of lightning that "lanced across [like spears] in a panicked dash to find safe ground in a clearing, the boys crouched under a barbed wire fence. The camper next to him was nearly dead as he squirmed under the wire, which Auster didn't realize until the boy's body began to turn cold and stiff. "It changed my whole way of looking at the world," says Auster. "It deeply impacted all of the art I'm writing." It does everything I've thought about ever since. "It has been magical thinking. "I don't believe in destiny. It's just pure dumb luck. It's absolutely unexplainable."

The camera also follows playwright James

O'Reilly as he reviews the Orson film where he was stuck 28 years ago, along with several other young men. He was nearly strangled, but the man standing next to him was killed. The man appeared ascribed on the outside, but as O'Reilly reads in his sowing detail, "you could see him vomiting his insides, internal organs tissue, chased black, all over the floor floor." Eight years ago, O'Reilly wrote a play about the episode, titled *Act of God*. (It's a well-used title, also shared by a Peter Greenaway short about lightning.) But he's still trying to decipher the experience. "Like random electrical

figure is misleading. If, when the heaven erupts, you happen to be riding a piece of farm machinery across an open prairie, or camping on an exposed slab of the Canadian shield, the odds jump dramatically in a recent issue of *The Walrus*, all I have to write about a close call in the summer of 2003, when she was on a kayak trip, camped on a finger of rock where the French River opens into Georgian Bay. The area is a lightning hot spot. When a thunderstorm moved in, the guide ordered the campers to retreat to their tents, and the smoldering safety of their tents—just a few minutes.

"A week seemed to go off inside my head, and then, suddenly, blue light came down the path," writes O'Reilly.

"It was over in a second, maybe less, but the air inside being there, heavy and peculiar smelling." She was unharmed, but one of the second named test pilot died.

"I was thrilled to have witnessed so closely a huge, random act of nature," O'Reilly told *Maclean's*. And she noted if the one was dead, why the one was singled out, and speed, by the heavens, the truth in the notion. "Why not?" is such a question asked.

"The planet has its own life, and if you happen to be present during one of its little up or down, it's not personal. It's a good little reminder that there are forces much

larger than us. I love that there are things out there we can't explain."

For de Pomeroy, trying to absorb thunder-bolts offered "some of the most exciting flying moments in my life," but it wasn't easy. He and Brinkley followed a team of Dutch storm chasers through Tennessee, Mississippi, and Alabama, parking in a mobile to track the weather on their own terms.

"They got into it," says de Pomeroy. "Because I've done it. Subway rather than McDonald's and it took too long to make my sandwich before we got back in the car." The upsurge was, they didn't catch any storms. But they did on Georgian Bay, and at Brinkley's first divorcee on Lake of the Woods, where they visited for the season to chase them. One

thing on film is often compared to capturing lightning in a bottle. As de Pomeroy said he has at a darkening sky, that was never quite so literally true. ■



'The planet has its own destiny, and if you're present for one of its signs or shruks, it's not personal'

chance," he says, "your mission is looking for a way to bridge the gaps and connect the dots, the way a spark will jump from one body to another."

Just as the planet is constantly pulsing with thunderstorms, the least of the people weather is a man of great nature, and Brinkley explains that lightning is not just a flash of light and the electricity within our nervous system. She films a scientist monitoring the brainwaves of a calm man, Fredrick, as he experiences part of the flash storm in a series of rapid-fire images on electric grids—suggesting that thunderbolts and sparks of creativity are rooted in the same neural force.

Lightning's great power is a jagged blade that cuts the air at about 100,000 mph per hour—often strikes without warning. Ironically, the chances of being struck in your lifetime are about one in 700,000. But the

in a scene from the trailer of the new movie guy fashion expert Bruno embarrases some models by questioning their masculinity



IN A SCENE from the trailer of the new movie guy fashion expert Bruno embarrases some models by questioning their masculinity

Sacha Baron Cohen strikes again

The 'Borat' lawsuits went nowhere. Expect fresh humiliations with the upcoming 'Bruno.'

BY JAMIE J. WEINMAN • How many different ways are there to annoy people with a silly accent? That's a question that will soon be answered by Sacha Baron Cohen and Larry Charles, the star and director who gave us *Borat* and now return with *Bruno*, the story of a gay, Euro-brosy Austrian fashion expert.

Bruno is a character Cohen developed along with Benet on *Do As I Please*, the movie, to be released on July 25. Will follow the same format as *Borat*, a series of loosely connected segments in which Cohen embarrases real people with his idiotic questions and behavior. Cohen has found out the hard way that this is the only way he can make a successful movie. In 2002, when he transformed a man popular character to a straight film, *Ali G*, Cohen's character, the movie was a financial flop. There's only one thing his fans want to see him doing: making real people squirm.

Cohen will do anything to get to those uncomfortable moments, like the scene in *Borat* where (as a parody of Madonna) and Angelina Jolie collected he adopts an Alvin and the Chipmunks song. Cohen will do anything to get to those uncomfortable moments, like the scene in *Borat* where (as a parody of Madonna) and Angelina Jolie collected he adopts an Alvin and the Chipmunks song. Cohen will do anything to get to those uncomfortable moments, like the scene in *Borat* where (as a parody of Madonna) and Angelina Jolie collected he adopts an Alvin and the Chipmunks song.

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But what national pastime is he making? Charles may think the real subject is America's unexamined racism, in between *Borat* and *Bruno*, he directed Bill Maher's *Religulous*, a real documentary that used Cohen's techniques to demonstrate the silliness of religious belief. Charles told *Slate* that Cohen's character is a parody of the "gay" character that both *Borat* and *Bruno* are "engaging amongst people about their belief systems, about themselves, and hopefully painting a portrait of a society in the process."

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WE'RE TALKING MIKE BATT

He's not stalking for competing *Bright Eyes*, the theme song to the 10th animated classic *Wendell & Stanley*, about a pair of robots who have been destroyed by a property developer. But robots are currently a scourge for the computer, whose estate is overrun with hundreds of wild ones. He's asked a bunny mascot to shoot them. But he's the president will migrate by a reality estate owned by Andrew Lloyd Webber.





OF HIS NEW EMPLOYERS, chef Marc Thuet says, "I don't know what they were in jail for, but I'm pretty sure it wasn't for stealing Main Mart."

Knife skills may not be a problem

Chef Marc Thuet hires freshly paroled ex-cons for his restaurant and lets the TV cameras roll

BY JACOB RICHIERE • Chef Marc Thuet has led a colorful life, but all the same, when he got up to his Monday job was something altogether new: shaking hands with a gang of freshly paroled ex-cons, and offering each of them jobs at his flagship Toronto restaurant, with a full television crew on hand to capture the deed. It was the first day of shoot for his new TV series tentatively entitled *Criminal Chefs*.

"I told some cameramen about a last week and they said I was f---ing crazy—but then maybe they never really thought any different about me before," Thuet volunteered over the phone from his restaurant, which with some modest but noisome success has been on TV since its relatively modest Criminal Chefs.

The concept for this program owes a considerable debt to James Oliver's *Peyton*, wherein the crafty English chef devoted himself to converting to layabouts and street artists into humble cooks, and then set them up with their own restaurants in London. But as another Food Network show would say, this premise has been kicked up a notch. Now the new series chef has a television management style, could give Gordon Ramsay a running lesson, and has new changes really new fresh from prison.

"Mostly they came from Kingston, and I don't know what they were in for, but I'm pretty sure it wasn't for stealing Main Mart," Thuet told me the week before the Monday recording. At that point, two of the 12 ex-cons offered for the show had already broken parole and been returned to the Big House before they even had a chance to discover that *Where Do They Go?* might be a show, but at least don't mind if you smile in the kitchen.

If you plan, however, to work out on the

floor, when you will learn the ropes under Thuet's partner in life and business, Boris Zorich, who will be required to get a decent haircut. So it came to pass that on the Monday shoot, a gunshot was told that his deeds must go and responded by cutting Zorich a back (and therefore) Mucha-wearing anecdote, and so become 79. The plan is to keep him running, and then in more four weeks the final 13 will open a new restaurant under Thuet and Zorich called, um, *Conviction*.

"People think I'm a bad boy French chef," says Thuet, who hails from Alsace and trained in innumerable multi-Michelin-starred restaurants in France and the U.K. before settling in Toronto, where in addition to *Blue Marlin* and Zorich's second restaurant, *Anchor Thuet*, and a triester and premiere called *Prose Thuet* is a reference to the use of the more and not the path of the chef. "A couple of years ago, I was thinking for a change I should do something new."

He settled on a sort of culinary version of the Johnny Cash concert at *Tolson Prison*. But it now got all the ground level, the notion got him thinking about the bigger picture. "There are not too many places where you can go and apply for a job and they say, 'How did you work last?' and you say 'Kingston—in the kitchen at the penitentiary,' and they say, 'Oh! You can

train someone!'"

Thuet is right, of course, and there are many good reasons for this. And every last one of them has the potential to make great television. If the cameras were actually in place when someone was finally foolishly enough to put his own business forward to the exception to the exception. As Jack had it, just as Thuet was thinking this through, one of his regular customers—Irwin Lloyd, president of programming at Montreal-based *Confession*—came in for dinner, and afterwards they settled in for a chat, and one thing led to another.

The *Confession* shooting schedule for Tuesday was an excursion to the countryside, where Thuet was planning to show his new employees how to slaughter a lamb. ("Some of them may have good knife work already," he said.) The farm will also supply some milk for a quick course in cheese making. Thuet comes back with a cheese.

"Maybe I'm a democrat," Thuet said, and then, once, passed for a contemporary chef in his opinion. "Maybe people will think that I'm more crazy than some others. But this is a game to be an incredible journey."

Network buyers agree: a series of eight one-hour episodes has been sold to *Crest*. Meanwhile, when you need date at one of Thuet's restaurants, you may want to think twice before complaining that your steak was overdone. And twice before checking your coat. ■



ACCORDING TO... HIL GIBSON

"After 30 years of marriage, Mel Gibson and his wife are getting a divorce. He blames it on the divorcee's unresolvable differences, commitment issues, and the Jewish people." —Craig Ferguson
"It is too soon to hit on Mel Gibson's wife? You may have heard it's unfortunate for Mel. She wants a half a billion dollars. He's not a negotiable negotiator. Mel, if you had a Jewish lawyer, you'd have a prenup." —David Letterman



GNE TV AD shows women walking by shrinking topiary with the voice-over "Now it's easy to share and trim with a flick of a handle."

'Trim the hedge.' Nudge, nudge.

Garden metaphors abound in a controversial advertising campaign for a new razor

BY AMIE KINGSTON • The garden has been called a metaphor for civilization. But never has it been explored quite so baldly as in a controversial advertising campaign for a new Schick Quattro women's razor. "Now the lower" is the title of one of the spots, though it's quickly apparent it's not grass being tamed. The ad's sparsely impenetrable is crisscrossed with public-grooming double entendres: "It's time to trim the hedge!" "Spruce up your Aphrodite," plus a reference to "trips on the moon." Racial stereotypes also abound: "which women in an 80s world have dippers and dings." "Some bushes are mighty big," an Asian woman criss a box and says. "Some gardens are mighty small." And for those who prefer their hairy and TV spots (in the U.S. are some: The TV ad "brushes" shows women prying by shaking a spray with the voice-over "Now it's easy to trim, trim, and transform with the flick of a handle." The first spot would be better. But it's a feature a razor with nearly crisscrossed things offering strategic coverage. [The company hasn't decided whether it will launch the razor in Canada.]

The ad's quickly hit the Web, then influential dms such as *Gawker* and *DailyGossip*. com. *Bespectacled* has been divided: some that clever and witty, others creepy, racist and offensive. *Slav* con's women's blog was

one of no longer shocking, given the mainstreaming of porn and the arrival of bisexualizing of women. So and the TV ad discussed it. So did the 2003 movie *Leslie and Anne*, in which an insurance agent asks her lover to critique her body. "The bush needs a trim," he advises.

Still, a prudery reaction that harks back to the Victorian story of the 19th-century British

artist John Ruskin (during a wedding night upon seeing his bride's public hair [and then, he'd been the naked female hair only in a story]). Jeff Chappman, the global director of brand communications for Schick's *Wet* brand, says the challenge was to create a "light, engaging" campaign "to somewhat diffuse the risk of offending people." The company chose not to sell the product as men's razors are sold—in terms of performance or portability. Instead, a female-centric creative team at MTV New York milked metaphors to the point of camp (no view, see *Madison* on camera). Recognizing that the Web offered groundhogs, they posted "Now the Lower" and another spot only on the French, U.K., and German *Wet* brand website. Philip and TV spots (in the U.S. are some: The TV ad "brushes" shows women prying by shaking a spray with the voice-over "Now it's easy to trim, trim, and transform with the flick of a handle." The first spot would be better. But it's a feature a razor with nearly crisscrossed things offering strategic coverage. [The company hasn't decided whether it will launch the razor in Canada.]

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withering: "Once again, a disturbingly homogeneous aesthetic is aimed squarely at the root of our sexual being," wrote Mary Elizabeth Williams. She called the "groundbreaking" metaphor "boringly predictable," noting: "The bad go man in *The Shining* was well-rendered too, and look how that turned out."

But it doesn't matter what the viral buzz is positive or negative, it's only crucial that it exist, says Rob Tully, associate creative director of Ruckh in Vancouver. "I rarely watch more than 30-second ads on television," he admits. "And it struck me as an everyday consumer surfing *Salem* on TV. Still, it would have performed the ads after specific product benefits." "Welcome the humor, I love the direct delivery. I wish it was not quite so mass and a little bit more original."

He points to last year's radio campaign for Philip's Bodygroom men's electric shaver, one of the 100 most creative ads in a year of garden metaphors may defy. In one of the ads, a male announcer intones: "Day to the women's razor, we cannot discuss the benefits of the product (including 'grooming') are offered. 'Shedding any I care' more than a will be in garden." ... puns a woman with a British accent. "Length is an age, but the shorter you go, the more that me out from will inspire."

This campaign was widely and sold to some. So may the Schick push, even though their focus on body conformity and image-inducing shaves is, let's face it, entirely bush league. ■



WHAT THEY GOT FOR IT A MERCURY MONARCH

An unidentified U.S. collector has paid the highest price ever commanded by an assembled-in-Canada auto: A 1964-1965 Mercury Monarch, built in Windsor, Ont., and sold to be in perfect condition, sold at an auction for \$160,000 in Toronto. The convertible has leather seats, power steering and leather power seats. Uniquely named for the Canadian market, the Monarch is one of only four copies known to still exist.



COLIN THATCHER served 13 years in prison for murdering his ex-wife, JoAnn Wilson. He maintains his innocence in a new book.

30

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Liberal leadership festivities: a sneak preview



SCOTT
PEARSON

The Liberal Party of
Canada Leadership and
Biennial Convention
Schedule of Events

Thursday, April 30

9:00 a.m. Registration
begins. Making a rare public appearance, the recession will be outlined to ask delegates what more it could have done to disavow them from spending thousands to attend a leadership convention whose true name is preordained.

12:30 A moment of respectful silence will be observed for the thousands of defenceless words that are about to be sacrificed to state the following: Dean's out, Iggy's in.
12:00 p.m. National Membership Update
Everyone stay in so Dave.

2:00 A number of concurrent workshops are offered, including "Missing Politics Means Ignorance." The party's MPs will offer their input by standing up and holding accusations to 10-second increments.

Friday, May 1
8:00 a.m. Young Liberals of Canada Biennial Meeting. If you're unfamiliar with the term, "biennial" is derived from a Latin word meaning "power and virgin." Incredibly factual chants to the hand work of the YLC executive, named 24 per cent of youth-sponsored policy initiatives at the 2009 convention will include the word "long."

9:00 Meeting of the Senior Liberals' Convention. To save time at the microphone, all seniors are requested to complete in advance the following multiple choice questionnaire: "If nothing changes were better back in:
— Trudeau's day?"
— King's day?"

— Bad, stupid kids with their buggy pants and their portable music machines.

11:30 Policy Think Tank Session—Canada and the World. Earning one place on the table that is where party members get down to the nuts and bolts of debating and formalizing

thoughtful and mapping policies that the new leader will, in his first act as an official party chief, completely ignore.

2:00 p.m. A series of Roundtable Workshops will be held, including "E-day: How to Run and Win Campaigns." Guest speakers are one from the last three elections.

5:00 Official Convention Opening. Reflecting Michael Ignatieff's support for Quebec's recognition as a nation, a choir will perform

9:30 Silent Night, a.k.a. the biennial opportunity for Young Liberals to get some. Recycled pickup lines are expected to include, "Which edition of Robert's Rules of Order do you keep by your belt?" and "Has anyone ever told you that you look like Steve Corbin?"

Saturday, May 2

7:00 a.m. Liberal guests receive a drop in water pressure to anyone who enters within 20 feet of Justin Trudeau the previous even-



First, a moment of silence for the thousands of defenceless words about to be sacrificed

a new confiding anthem in which Liberals now stand on guard for the Canadian, Quebec, Acadia, Nova Scotia and other nations, including Peru for some reason. It is expected to have a running time of 45 minutes (although, to be fair, that includes the drink ads).

9:30 Tribute to the Hon. Stéphane Dion begins. This won't be the least be welcomed (Quebec from the 160) tribute to Jean Charest: "Basta no evening," "Inevitable man," "Empowering and formidable." Predicted quotes from the tribute to Dion: "evening," "man," "and."

11:10 The outgoing party leader is introduced with a newspaper video in an effort to keep the crowd interested, the video will be a retrospective of the career of Paul Leduc.

10:45 The words "green" and "shill" are uttered together for the first time. Thousands of kilometers away, somewhere deep in the Ottawa night, Stephen Harper awakens with a start, and a feeling of tremendous loss.

10:55 Dion walks off the stage and into the luxury box. Which is incorrect, they never should have walked so close to the stage.

ing struggles to shower off the scent of wild satisfaction.

10:30 Policy History. If this goes according to plans, you can expect fierce debate on pertinent issues ranging from "Goldman's this hangover" to "Has anyone seen my pants?"

9:40 Voting commences. Let the Joe Widge groundswell begin!

11:10 Though not scheduled to address the convention, Jean Chrétien surprises delegates by taking the stage and delivering a speech entitled "The Fundamental Case for Liberalism in a Time of 'You Miss Me Now, Dear, You? Don't You?'"

2:30 p.m. Leader's Announcement and Speech. Keen to remove any lingering ethical stain from his party, Ignatieff uses his acceptance speech to come down on one last Liberal he, Perlegen's hair? A wig the whole time.

4:00 The Leader's Celebration. The party is scheduled to feature the music of Spice of the West and the spectacle of Political Leader Dancing Authority. W.

ON THE WEB: To read Pearson on the future visit his blog macleans.ca/pearson

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LAYLA KHALIL

1962-2009

She survived two wars, breast cancer, and suicide bombings in Baghdad. She sought safety in the U.S.

Laïla Khalil was born in Baghdad on March 8, 1962, her father a landowner, her mother one of Iraq's first professional writers. A high school vice-principal. As a girl, Laïla, the eldest of six, lived in the *kurdiya* district, just east of the Tigris River. Fascinated by books, particularly histories of the ancient world, she became a librarian. A traditional betrothal arranged by relatives led to marriage with Samir Khalil, a health-care aide six years her senior. A daughter, Bas, arrived two years later, just before Samir's academic career took the family to Europe—first Paris in 1981, where Bas, a teen, was born, then Manchester, England.

In 1990, while Samir finished his degree in England, Laïla and the child-divorced returned to Baghdad. The family was not political. "We were always trying to avoid the regime," Bas says—yet actually did not prevent them from the Gulf War and the bombing of Baghdad a year later, and the families divided fled north to the hundreds of Diyala province, Laïla's ancestral homeland. Soon after the war, Laïla had a second son, Mustafa. When UN sanctions made scarce food and medicine and gasoline unavailable, Laïla began to starve. "She would go to the jewelry store and tell them she had no credit being in food," says Bas. Electricity was intermittent, and Laïla lived by the light, working at 2 a.m. to do the laundry. Such were the hardships that Samir, now a linguistics professor, left to teach in Libya, visiting for only a few weeks a year; he would not return to Baghdad for seven years. "So she became our mother and our father," says Bas. "She was dedicating herself for us."

The relaxed distances often delayed Samir's return, yet Laïla, with her infectious grin, somehow scaped together fears (Bas loved her daisies, grape leaves stuffed with rice). "She wanted us to be the best and succeed in our lives and our studies," Bas says. It was Laïla who taught Bas to drive, left a note, "I'm proud of you," as a salary as he might care for his mother a little more. But weeks before his graduation, doctors diagnosed her with cancer. After removing a tumor they said was her heart, recommending a course of chemotherapy, Laïla was unfazed. "She was a real believer," says Bas. "She used to say, 'It's going to be my day, it's going to be my day.' It's God that created us and God will take us."

She was still recovering in 2003 when Baghdad began preparing for war. "Everyone was running around trying to reach food, water, medicine, fuel," says Bas. "We were trying to stock ourselves." Their

home was near enough to Dora Farms, the compound that U.S. forces first targeted in the hopes of killing Saddam Hussein, that the bombings shattered their windows. The family relied Bas, who was hospitalized from the city, but that time Laïla refused to abandon her home and watched as coalition forces streamed into Baghdad. "We were all," says Bas. "The bombs came, Jordan windows, military killed in the streets. It's a war, you see everything." Amid the chaos, and in the absence of physicians, Laïla soaked in medical books, watching,

Bas says, "her own doctor." They grew hopeful an end to war would bring foreign medical expertise, instead, Baghdad deteriorated. Laïla was in a taxi when a car bomb exploded meters away, sending shrapnel and burning gasoline through the air. Another day, on a city bus, Laïla watched as her driver refused to open the door for a man sitting in the street; instead, he stepped onto a bus directly behind him, detonating an explosive belt.

Soon, Laïla and Samir's ties to Europe drew them from the chaos who now controlled their district. A gunman approached Bas on the street, showing her three men. Laïla believed him dead. "She went to the hospital and was looking for me in the refrigerator," he says. The family fled to Jordan in 2006, applying for refugee status in the U.S. Before long, Laïla discovered her mother, still in Iraq, wasn't. Desperate but unable to find a flight, she took a Baghdad-bound bus through dangerous fallujah hit routes, masked gunmen hijacked the vehicle, dragging it miles into the desert, in the wilderness, a man speaking a foreigner's Arabic separated the men from the women, leaving the latter.

Laïla was in Jordan when she learned she, Samir and Mustafa, 12, would be given refugee in Binghamton, N.Y., where Bas was studying on a Fulbright scholarship. "I was really relaxed," says Bas, who was doing a Ph.D. in Paris. "Finally, she'll be back." They arrived in the U.S. last August, and Laïla was determined that her youngest would know the same success as her siblings. But she was cognizant that amenities in America cost money and represented herself at a local employment center, where she found no job. Instead, she turned up on her English in class at the American Civic Association, a center for new arrivals. She was there on April 3 when 41-year-old Jeremy Wang, a self-taught Vietnamese craftsman and criminal U.S. citizen, armed with two handguns and began shooting—killing Laïla and 12 others—before ending his own life.

BY NICHOLAS KÖRNER



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